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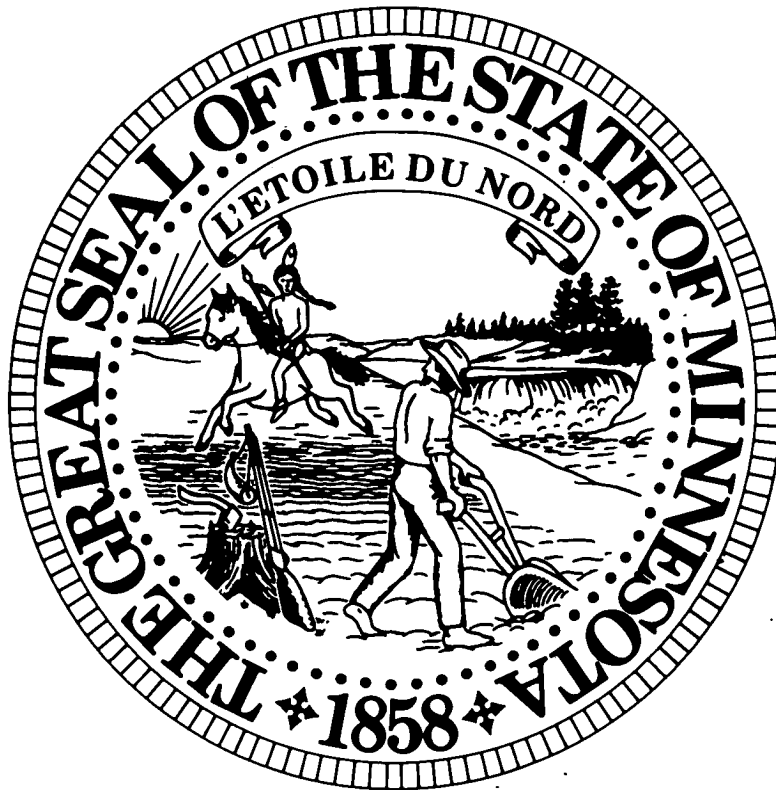
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# The Minnesota State Register

Department of Administration—Print Communications Division

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# State Register

## Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional, technical and consulting contracts, non-state bids and public contracts, and grants.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals, including printing bids.

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Vol. 18 Issue Number	PUBLISH DATE	Submission deadline for Adopted and Proposed Rules	Submission deadline for: Emergency Rules, Executive Orders, Commissioner's Orders, Revenue Notices, Official Notices, State Grants, Professional, Technical and Consulting Contracts, Non-State Bids and Public Contracts
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Contact: Senate Public Information Office  
Room 231 State Capitol, St. Paul, MN 55155  
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# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the *State Register*

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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## Proposed Rules

Pursuant to Minn. Stat. §14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Board of Chiropractic Examiners

### Proposed Permanent Rules Relating to Retired Licenses and Examinations, Advertising, and Professional Designations

#### Notice of Intent to Adopt Rules Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Chiropractic Examiners (hereinafter "Board") intends to adopt permanent rules without a public hearing following procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also request that a hearing be held on the rule.

**Agency Contact Person.** Comments or questions on the rule must be submitted to:

Larry A. Spicer, D.C., Executive Director  
Minnesota Board of Chiropractic Examiners  
2700 University Ave. W. #20  
St. Paul, MN 55114-1089  
(612) 642-0591  
Fax: (612) 643-3535

**Subject of Rule and Statutory Authority.** The proposed rule is about voluntary retirement of a license, license examination deadlines and retaking the license examination, advertising, sponsorship reports to the board, inactive retired license status, length of preceptorship training program, and professional designations. The statutory authority to adopt this rule is *Minnesota Statutes* 148.08, Subd. 3. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until March 2, 1994 at 4:30 p.m. to submit written comments in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by March 2, 1994 at 4:30 p.m. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Modifications.** The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule as attached and printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

**Statement of Need and Reasonableness.** A Statement of Need and Reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

**Adoption and Review of Rule.** If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

Dated: 13 January 1994

Larry A. Spicer, D.C.  
Executive Director

### Rules as Proposed

#### 2500.0100 DEFINITIONS.

[For text of subs 1 to 11, see M.R.]

**Subp. 12. Voluntarily retired license.** "Voluntarily retired license" means a license which has been voluntarily surrendered by a chiropractor. It relinquishes all rights to practice chiropractic in Minnesota.

#### 2500.0500 ADVERTISING FREE SERVICES.

Free or discounted chiropractic services shall be provided to all patients during the period of time specified in the advertisements, whether or not the consumer is aware of the free services or discounted fee, and whether or not payment is to be made by the individual or a third-party payer such as an insurance company.

Free or discounted examinations or chiropractic treatments shall be equivalent to the same examinations or chiropractic treatments as provided at a full charge and must provide sufficient information to allow for a diagnosis and initiation of treatment.

When using the word "free," or any other term with essentially the same meaning, in reference to any service, examination, or treatment, the following statement must be submitted by the doctor to the patient or guardian upon completion of the free services for signature and kept on file:

"I understand all services to this point have been free of charge. Any subsequent services will be provided for at the fees explained to me at this time."

#### 2500.0510 ADVERTISING.

All advertising must use the word "chiropractor" or "chiropractic" in the name of the clinic or incorporate it into the body of the advertisement as follows:

A. all written advertisements must make the chiropractic reference in a print size or emphasis equal to the average print size or emphasis utilized in the rest of the advertisement; and

B. all verbal advertisements must make the chiropractic reference in a form as audible as the rest of the advertisement.

#### 2500.0550 PROFESSIONAL DESIGNATIONS.

A licensee must in all forms of professional reference include one or more of the following designations: doctor of chiropractic, D.C., chiropractor, and chiropractic physician. The designation shall be in an emphasis, whether written or verbal, equal to the emphasis of the written or verbal material which contains the designation.

#### 2500.0700 TEST EXAMINATION ADMINISTRATION.

The board may solicit the help of Minnesota licensed chiropractors for the purpose of:

[For text of items A to C, see M.R.]

#### 2500.0730 EXAMINATION DEADLINE.

~~All Examination applications; all other required documents; and fees must be received by the board postmarked not less than four weeks 30 days before the first day of the scheduled examination. During the fourth week Twenty-eight days before the examination, notices a notice of approval to sit for the boards examination, notices a notice of application deficiency, and notices or a notice of denial to sit for the boards examination shall be mailed to each applicant.~~

If an applicant receives a notice of application deficiency, the applicant ~~has until two weeks before must submit the required documents to the board, postmarked no later than the 14th day before the first day of the examination to submit to the board missing documents.~~

## Proposed Rules

If an application is still incomplete ~~two weeks~~ 14 days before the first day of the examination, the applicant shall not be allowed to sit for the ~~boards examination~~, and the board shall mail a notice of denial to sit for the ~~boards examination~~.

### 2500.0750 RETAKING EXAMINATION.

Applicants who fail portions of the licensure examination may retake the failed portions once at the next scheduled examination. Failure to take the portions necessary at the next scheduled examination shall cause the applicant to forfeit the right to do so.

Applicants need not reapply to the board for ~~examination~~ reexamination of the failed portions; however, applicants must notify the board not later than 30 days before the examination of their intention to sit for the ~~boards not later than 30 days before the examination~~.

If, ~~after retaking~~ the applicant fails to successfully complete the failed portions of the examination, ~~the applicant fails to pass that examination~~, the applicant must resubmit an application, pay the required examination fee, and retake the entire examination.

### 2500.1150 FEES.

The fees charged by the board are fixed at the following rates:

[For text of items A to G, see M.R.]

H. independent ~~medical~~ examination annual renewal fee, \$100;

I. incorporation renewal late charge, \$5 per month;

J. computer lists, \$100; and

K. computer printed labels, \$150.

### 2500.1420 REPORTS TO BOARD.

The sponsor must report to the board any changes in the requirements in part 2500.1410 as soon as possible.

The sponsor must provide a list to the board within ~~14~~ 21 days after each seminar given. The list must include the following:

[For text of items A to C, see M.R.]

D. the type of continuing education units obtained.

In no event shall any report be submitted to the board later than January 15 for any seminar presented in the previous year.

### 2500.2050 INACTIVE RETIRED LICENSE.

A Minnesota licensed chiropractor who intends to retire from the practice of chiropractic may apply to the board for an inactive retired license.

The licensee must apply for an inactive retired license according to ~~part 2500.2020~~ items A to C.

A. Applicants must complete a board approved application which must include a signed affidavit stating that the applicant will no longer be actively practicing chiropractic in Minnesota.

B. Upon approval of an application, the board shall modify the annual license certificate to indicate inactive retired licensure.

C. The board may refuse to approve an application if:

(1) a pending or final disciplinary action exists against an applicant's Minnesota license;

(2) a pending or final disciplinary action exists against an applicant's license in another state where the applicant has been licensed to practice chiropractic; or

(3) the applicant's Minnesota license is not current in fees and penalties paid, or in continuing education hours obtained for annual license renewal.

### 2500.2100 VOLUNTARILY RETIRED LICENSE.

Upon request of a Minnesota licensed chiropractor, the board may place a license in voluntary retirement unless:

A. a pending or final disciplinary action exists against an applicant's Minnesota license;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

B. a pending or final disciplinary action exists against an applicant's license in another state where the applicant has been licensed to practice chiropractic; or

C. the applicant's Minnesota license is not current in fees and penalties paid or in continuing education hours obtained for annual license renewal.

### **2500.2110 REINSTATEMENT OF VOLUNTARILY RETIRED LICENSE.**

A licensee who has voluntarily retired a license for a period equal to or less than five years may be reinstated to a nonrestricted license after:

A. completion of a board-approved application of reinstatement;

B. payment of a reinstatement fee in the amount of \$100;

C. payment of license fees for each year the license was voluntarily retired; and

D. completion of 30 units of board-approved continuing education for each year the license was voluntarily retired.

None of the continuing education units obtained for the purpose of reinstating a voluntarily retired license apply to the current biennial requirement.

A license which has been voluntarily retired for more than five years by a chiropractor who has also not been in active practice in another state or country during the period of voluntary retirement in Minnesota may only be reinstated following successful completion of the written and practical licensing examinations as administered by the board.

### **2500.2500 DEFINITIONS.**

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Preceptorship training program.** "Preceptorship training program" means a board-approved program by which an intern may practice chiropractic under the direct supervision of a licensed chiropractic physician for one ~~nine-month~~ 12-month period.

[For text of subp 9, see M.R.]

### **2500.2530 TERMINATION OF THE PRECEPTORSHIP PROGRAM.**

A preceptorship training program must terminate no later than ~~nine~~ 12 months after the intern's graduation from a board-approved chiropractic college. It must be terminated before that time if:

[For text of items A and B, see M.R.]

C. upon completion of the ~~nine-month~~ 12-month preceptorship program if the intern fails to pass the board licensure examination for a second time; or

[For text of item D, see M.R.]

## Department of Corrections

### Proposed Permanent Rules Relating to 24-Hour and Eight-Day Juvenile Temporary Holdover Facilities

#### Notice of Intent to Adopt Rules Without a Public Hearing

**Introduction.** The Minnesota Department of Corrections intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to:

Kenneth E. Merz, Director Standards Development  
Inspection and Enforcement Unit  
300 Bigelow Building  
450 North Syndicate Street  
St. Paul, Minnesota 55104  
612/642-0333



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## Proposed Rules

**Subject of Rules and Statutory Authority.** The proposed rules are relating to Juvenile Temporary Holdover Facilities. The statutory authority to adopt the rules is *Minnesota Statutes* 241.0221, Subd. 4. A copy of the proposed rules is published in the *State Register* and attached to this notice.

**Comments.** You have until 4:30 p.m. Wednesday, March 2, 1994, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

**Request for A Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on March 2, 1994. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rules which caused your request, the reason for the request, and any changes you want made to the proposed rules. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the Department of Corrections will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Modifications.** The proposed rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the Department of Corrections and may not result in a substantial change in the proposed rules as attached and printed in the *State Register*. If the proposed rules affects you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A Statement of Need and Reasonableness is now available. This statement describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules. A free copy of the Statement may be obtained from Kenneth E. Merz at the address and telephone number listed above.

**Small Business Considerations.** In preparing these rules, the Department of Corrections has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The adoption of the rules will not directly affect small business.

**Expenditure Of Public Money By Local Public Bodies.** *Minnesota Statutes*, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

**Impact On Agricultural Lands.** *Minnesota Statutes*, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land.

**Departmental Charges.** *Minnesota Statutes*, section 16A.1285, subdivisions 4 and 5, do not apply because the rules do not establish or adjust a departmental charges.

**Adoption and Review of Rules.** If no hearing is required, after the end of the comment period the Department of Corrections may adopt the rules. The rules and supporting documents will then be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rules are submitted to the Attorney General or be notified of the Attorney General's decision on the rules. If you wish to be so notified, or wish to receive a copy of the adopted rules, submit your request to Kenneth E. Merz, at the address listed above.

Dated: 13 January 1994

Frank W. Wood, Commissioner  
Department of Corrections

### Rules as Proposed (all new material)

#### JUVENILE TEMPORARY HOLDOVER FACILITIES

##### 2950.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of this chapter, the following terms have the meanings given them.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
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Subp. 2. **Administrator.** "Administrator" means the individual who has been delegated the responsibility and authority for the administration and operation of a temporary holdover facility within a single county or group of counties.

Subp. 3. **Applicant.** "Applicant" means any person, agency, or organization applying for a license or renewal of a license under this chapter.

Subp. 4. **Approved capacity.** "Approved capacity" means the maximum number of residents that any cell, room, unit, building, facility, or combination of them is approved for in compliance with the standards.

Subp. 5. **Attendant.** "Attendant" means the person who supervises and provides care to the juvenile being held at the temporary holdover facility. The attendant must be 21 years of age or older.

Subp. 6. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Corrections or a designee.

Subp. 7. **Communicable disease.** "Communicable disease" means a disease or condition that causes serious illness, serious disability, or death, the infectious agent of which may pass or be carried, directly or indirectly, from the body of one person to the body to another.

Subp. 8. **Contraband.** "Contraband" means those items designated by the temporary holdover facility as prohibited on the physical premises of the facility.

Subp. 9. **Controlled substance.** "Controlled substance" means a drug, substance, or immediate precursor in Schedules I to V of *Minnesota Statutes*, section 152.02. The term does not include distilled spirits, wine, malt beverages, intoxicating liquor, or tobacco.

Subp. 10. **Department of Corrections; department.** "Department of Corrections" or "department" means the Minnesota Department of Corrections.

Subp. 11. **Directory.** "Directory" means any provision in this part which is not designated as mandatory according to subpart 19.

Subp. 12. **Eight-day temporary holdover facility.** "Eight-day temporary holdover facility" means a physically restricting and unrestricting facility of not more than eight beds, two rooms of which must be capable of being physically restricting. The maximum period that a juvenile can be detained under *Minnesota Statutes*, chapter 260, in this facility is eight days, excluding weekends and holidays.

Subp. 13. **Emergency.** "Emergency" means a significant incident or disruption of normal facility procedures, policies, routines, or activities arising from fire, riot, natural disaster, suicide, assault, or medical incidences requiring professional medical care.

Subp. 14. **Inspection.** "Inspection" means an on-site assessment of existing conditions made to determine the facility's compliance with this chapter.

Subp. 15. **Juvenile.** "Juvenile" means any person who is under 18 years old or under the jurisdiction of the juvenile court.

Subp. 16. **Legend drug.** "Legend drug" means a drug required by federal law to bear the following statement: "Caution: Federal law prohibits dispensing without prescription."

Subp. 17. **License.** "License" means a certificate issued by the commissioner authorizing the designee to provide specified services for a period of a year in accordance with the terms of the license, *Minnesota Statutes*, section 241.021, and the rules of the commissioner.

Subp. 18. **Local detention facilities.** "Local detention facilities" means a county or multicounty facility that detains or confines preadjudicated or adjudicated delinquent and nondelinquent juveniles, including juveniles defined in *Minnesota Statutes*, section 260.015, subdivisions 21 to 23.

Subp. 19. **Mandatory.** "Mandatory" means the standard must be met by the facility in order for the facility to be licensed. Mandatory standards are identified with the designation (mandatory). In the case of entire parts or subparts, the word mandatory appears in the part or subpart headnote. Notwithstanding *Minnesota Statutes*, section 645.49, the word mandatory is to be construed as part of the law when used in headnotes in this chapter. In the case of items, the word mandatory appears in the text. When used at the item level, the word mandatory governs all subitems.

Subp. 20. **Medicine.** "Medicine" means a remedial agent that has the property of curing, preventing, treating, or mitigating diseases, or that is used for that purpose. For the purpose of this chapter, medicine includes legend and nonlegend drugs.

Subp. 21. **Policy.** "Policy" means a statement declaring mission, purpose, and ideological position.

Subp. 22. **Procedure.** "Procedure" means a written statement establishing the action plan to implement policy.

Subp. 23. **Renewal license.** "Renewal license" means a license issued for a period subsequent to the period for which the license was initially issued and where there has been no intervening period during which the license has been revoked.

Subp. 24. **Resident.** "Resident" means an individual detained or confined in the temporary holdover facility.

Subp. 25. **Revocation of license.** "Revocation of license" means that the designee shall no longer be authorized to provide the specified services.

Subp. 26. **Rule.** "Rule" means that which is defined by *Minnesota Statutes*, section 14.02, subdivision 4.

Subp. 27. **Substantially conform.** "Substantially conform" means compliance with 100 percent of the items in this chapter identified as mandatory and with 70 percent of all items identified as directory in this chapter which are applicable to the facility's classification and, additionally, means compliance with 70 percent or more of all rules applicable to a facility's classification in each part of this chapter. "Part" as used in this definition means the entire area or subject matter under each category of this chapter. To calculate compliance, one point will be assigned each standard or each subpart of a standard.

Subp. 28. **Suspension of license.** "Suspension of license" means that the designee is not authorized to provide the specified services for a specified period of time, or until the facility is found to be in substantial conformance with licensing requirements.

Subp. 29. **Temporary holdover facility.** "Temporary holdover facility" means a facility licensed for either 24 hours excluding weekends and holidays or an eight-day classification, excluding weekends and holidays.

Subp. 30. **Twenty-four hour temporary holdover facility.** "Twenty-four hour temporary holdover facility" means a physically restricting (secure) or a physically unrestricting (nonsecure) facility licensed for up to 24 hours, excluding weekends and holidays, for the care of one or more children who are being detained under *Minnesota Statutes*, chapter 260.

Subp. 31. **Undue hardship.** "Undue hardship" means the financial costs are not warranted when weighed against the benefits derived.

Subp. 32. **Variance.** "Variance" means the waiver of a specific rule for a specified period of time.

#### PROCEDURES FOR LICENSING

#### 2950.0110 INTRODUCTION.

*Minnesota Statutes*, section 241.021, subdivision 1, provides that the commissioner shall adopt rules establishing minimum standards for all correctional facilities throughout the state, whether public or private, established and operated for the detention and confinement of persons detained or confined in them according to law except to the extent that they are inspected or licensed by other state regulating agencies. The rules that follow are minimum standards for local juvenile temporary holdover facilities which includes two classifications:

- A. 24-hour (secure and/or nonsecure); and
- B. eight-day (secure and nonsecure).

#### 2950.0120 INTENDED USE; NONCONFORMANCE; LIMITATIONS OF RULES.

Subpart 1. **Intended use.** A facility shall be used only for the classifications for which it is licensed. When "shall" or "must" are used in conjunction with a directory standard, the mandatory implications of those terms are limited to the extent part 2950.0100, subpart 27, defines the requirement of 70 percent directory standard compliance as a prerequisite for facility licensing.

Subp. 2. **Federal jail removal mandates.** All temporary holdover facilities must meet the jail removal mandates of the Federal Juvenile Justice Delinquency Prevention Act of 1974, *United States Code*, title 18, chapter 403, sections 5031 to 5042, as amended.

Subp. 3. **Nonconformance, unsafe, unsanitary, or illegal conditions.** When conditions do not substantially conform to this chapter or where specific conditions endanger the health, welfare, or safety of residents or staff, the commissioner shall find the facility in nonconformance and condemn it by written order that it shall not be further used while the order is in force according to *Minnesota Statutes*, section 642.10.

Subp. 4. **Appeal procedure for denial, suspension, and revocation of license.** An applicant who feels grieved by the commissioner's action may appeal the commissioner's decision in the following manner. The operator shall be given written notice of action and shall be informed of the right to appeal the decision of the commissioner. The operator shall appeal the decision in writing to the commissioner within ten days from the operator's receipt of the notice of action. Upon receiving a timely written appeal, the commissioner shall give the operator reasonable notice and an opportunity for a prompt hearing before an impartial hearing examiner.

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### 2950.0130 ORIGINAL APPLICATION FOR LICENSE (MANDATORY).

Subpart 1. **General.** New applicants shall file applications with the commissioner of corrections.

Subp. 2. **Materials filed with application.** The materials to be filed with a temporary holdover facility license application are:

- A. a completed application for license on the form provided by the commissioner;
- B. a floor plan of the temporary holdover facility with designated room dimensions; and
- C. written documentation that all fire, safety, health, and local zoning requirements are met.

### 2950.0135 NOTICE OF APPLICANT OF COMMISSIONER'S ACTION.

After the application for license is approved by the commissioner, the applicant will receive by mail a license which, as provided by *Minnesota Statutes*, section 241.021, sets forth the conditions under which the temporary holdover facility may operate. The terms of the license shall include the maximum number and sex of the juveniles to be served, the period of time for which the license is effective, and may include other conditions which the commissioner may prescribe.

### 2950.0140 RENEWAL OF LICENSE.

Subpart 1. **General.** Application for relicensing must be submitted to the commissioner 30 days prior to the expiration date of the facility's current license. Any materials submitted in a previous license application which are not replaced by new submissions are presumed to be current.

Subp. 2. **Materials filed with application.** The materials to be filed with the temporary holdover facility license renewal application are:

- A. a record of major changes in the program or facility during the year or contemplated for the coming year;
- B. building plans for any contemplated construction giving room dimensions and specifications and use; and
- C. written documentation that the fire, safety, and health rules are met. Fire and health inspections are required at the time of initial licensing and every year thereafter.

### 2950.0150 CONDITIONS OF LICENSE.

Subpart 1. **General.** A license applies only to the organization to whom it is issued and to the buildings approved. The license expires automatically if there is a change in location, organization, or a structural modification or addition to the physical facility, which would affect either the terms of the license or the continuing eligibility for a license. In such cases, a new license must be filed. An application for a new license must include:

- A. an outline of any proposed changes in the temporary holdover facility's program (example: philosophy, purpose, and function of the program); and
- B. a new floor plan of the temporary holdover facility with room dimensions and furniture placement.

Subp. 2. **Restrictions on capacity.** A license must be restricted to a specified maximum capacity.

Subp. 3. **No occupancy before licensing.** No persons may be placed in a temporary holdover facility before it is licensed.

Subp. 4. **Issuance of licenses.** A license must be used when the applicant is in substantial compliance with the directory rules and 100 percent compliance with the mandatory rules.

### 2950.0160 VARIANCES AND SUSPENSION OF REQUIREMENTS.

Subpart 1. **Variances; general.** The granting of a variance under this part does not constitute a precedent for any other temporary holdover facility. The granting or denial of all variances shall be in writing and made within 30 days of the request for a variance.

The variance must be granted by the commissioner if, in the licensing procedure of enforcement of the standards in this chapter:

- A. requirements for a temporary holdover facility to strictly comply with one or more of the provisions will result in undue hardship or jeopardize the health, safety, security, detention, or well-being of the residents or facility staff;
- B. the temporary holdover facility is otherwise in substantial conformity with the standards contained in this chapter or making satisfactory progress toward substantial conformity;
- C. granting of the variance will not preclude the facility from making satisfactory progress toward substantial conformity with this chapter;
- D. the granting of the variance will not leave the interests and well-being of the residents unprotected; and
- E. the facility will take action to comply with the general purpose of the standards to the fullest extent possible.

Subp. 2. **Emergencies.** The facility administrator may declare a state of emergency suspending those rules affected by the emergency if to not suspend the rules would adversely affect the health, security, safety, or well-being of the persons detained or confined or the facility staff.

Subp. 3. **Notification of emergencies (mandatory).** The facility administrator shall immediately notify the Department of Corrections of an emergency that results in the suspension of a rule. A formal written report must follow within 72 hours.

Subp. 4. **Extension of emergency.** No suspension of rules because of an emergency declared by a facility administrator may exceed seven days unless the administrator obtains the approval of the commissioner for a variance to the rules and the variance is necessary for the protection of the health, security, safety, or well-being of the staff or the persons detained or confined in the facility where the emergency exists.

**2950.0200 MINIMUM PHYSICAL PLANT, FURNISHINGS, AND LOCATION STANDARDS FOR TEMPORARY HOLDOVER FACILITIES FOR 24-HOUR AND EIGHT-DAY.**

Subpart 1. **Nonsecure 24-hour temporary holdover facilities.** The facility must:

- A. be located in a nonsecure area of a public or private building where either law enforcement or emergency services staff is available on a 24-hour a day basis who agrees to respond immediately with backup assistance in the event of an emergency;
- B. have a minimum of 120 square feet of floor space for the first juvenile held and an additional 50 square feet of floor space for each additional juvenile held;
- C. have provisions for each juvenile to lie down, sleep, or sit in comfort;
- D. have access to bathroom and shower facilities on the same floor;
- E. have telephone or audio communication equipment with direct access to emergency backup personnel;
- F. have the capability to prepare meals or arrange for meals to be delivered;
- G. have lighting, ventilation, and temperature controls to maintain reasonable comfort;
- H. provide separation capability between male and female residents to meet the privacy needs of the residents;
- I. have minimum furnishings in the facility, consisting of telephone, radio, television, table, chairs, storage space, bed, lamps, first aid kit, bedding, linens, replacement clothing, personal hygiene items, and leisure activity materials;
- J. comply with all federal, state, and local fire safety requirements, sanitation, and safety and health codes. Furnishings also must comply with these requirements and codes. Fire and health inspections must be completed once every year (mandatory); and
- K. have a storage area that can be locked to store necessary supplies and equipment.

Subp. 2. **Secure 24-hour temporary holdover facilities.**

- A. The facility must comply with all of the minimum standards required of a nonsecure 24-hour facility with the exception that toilet/wash basin facilities must be located within the secure room.
- B. All fixtures and furnishings in a secure detention room must be of a secure type and be appropriately secured to assure safety for staff and the juvenile being detained.
- C. The door to the secure room must have an observation window with a cover to afford privacy when necessary and a food pass feature.
- D. Each secure temporary holdover room used in detaining juveniles must be single occupancy and have a minimum of 70 square feet of floor space (mandatory).

Subp. 3. **Eight-day temporary holdover facilities (secure and nonsecure).**

- A. The facility must not exceed a maximum capacity of eight beds.
- B. The facility must have a minimum of two secure single occupancy detention rooms. Each secure room within the facility must be of single occupancy, have a minimum of 70 square feet, and be equipped with toilet/wash basin facilities. All furnishings and fixtures must be of a secure type and room doors must have observation windows with panel covers. Space for day activity areas outside of the detention rooms must be provided with access to natural light. Audio monitoring must be in each room and

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## Proposed Rules

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each day activity area which allows residents to communicate with facility's staff when in need of assistance. Visual monitoring cameras shall be in the day activity areas if such areas cannot be directly observed from the staff station.

C. All nonsecure detention rooms in the facility must have a minimum of 70 square feet in single occupancy rooms and a minimum of 60 square feet per juvenile in multiple occupancy rooms.

D. The facility must have natural light orientation in the activity area.

E. Activity space must be provided to accommodate multiple uses, specifically for dining, school, physical exercise, recreation, leisure, and visiting activities. The space must be no less than 625 square feet.

F. Separate space must be provided for admission and intake procedures which provides for private and confidential processing.

G. The facility must provide separation capability between the secure and nonsecure rooms within the facility and for proper separation between male and female residents to afford privacy.

H. The facility must provide separate bathroom and shower facilities for the secure and nonsecure units of the facility.

I. The facility must provide the same furnishings as required in the secure and nonsecure 24-hour temporary holdover facilities.

J. The facility must have the capability to prepare meals or arrange for meals to be delivered.

K. Functional physical exercise equipment must be readily available for use by juveniles in both the secure and nonsecure programs on a daily basis.

L. The facility and furnishings must comply with all federal, state, and local fire safety requirements and sanitation and health codes. Fire and health inspections must be completed once every year (mandatory).

### PERSONNEL STANDARDS

#### 2950.0300 STAFFING REQUIREMENTS FOR 24-HOUR AND EIGHT-DAY TEMPORARY HOLDOVER FACILITIES.

Subpart 1. **Staffing plan.** The facility administrator shall prepare and retain a staffing plan indicating the attendants assigned to the facility and their duties.

Subp. 2. **Minimum staffing requirements for temporary holdover facilities (mandatory).**

A. No person may be housed in a temporary holdover facility without at least one attendant on duty, awake and alert and capable of responding to the reasonable needs of the residents in the facility.

B. Attendants must not be placed in positions of responsibility for the supervision and welfare of residents of the opposite sex in circumstances that can be described as an invasion of privacy, degrading, or humiliating to the resident. Male attendants must not supervise female residents except in activity areas and only when a female attendant is on duty and present in the temporary holdover facility. Female attendants may supervise male residents provided privacy is protected and visual and audio monitoring equipment is operating and constantly being attended by other staff personnel.

C. In 24-hour temporary holdover facilities (secure or nonsecure), one attendant may supervise up to four juveniles at one time provided they are all of the same sex. Two attendants are required to be on duty if five or more juveniles are being detained in a nonsecure facility.

D. In eight-day temporary holdover facilities having both secure and nonsecure detention beds, two attendants must be on duty when five or more residents are being detained. If all detention beds are of a secure nature, a minimum of one staff shall be on duty during each shift.

E. Attendants must not leave residents unsupervised in nonsecure temporary holdover facilities.

F. Attendants supervising residents in a secure 24-hour temporary holdover facility must remain at their posts at all times. Attendants shall document residents' behavior at 30-minute intervals.

#### 2950.0310 STAFF RECRUITMENT.

Subpart 1. **Age requirement (mandatory).** All attendants who have direct client contact shall be at least 21 years of age.

Subp. 2. **Discrimination prohibited (mandatory).** Discrimination on the grounds of race, color, religion, sex, or national origin is prohibited.

Subp. 3. **Staff selection.** The selection, appointment, and promotion of facility personnel must be based on assessed ability. Recruitment standards must set forth the basic requirements of ability, preparatory experience, physical condition, and character, as well as those qualities that may disqualify.

Subp. 4. **Criminal record check (mandatory).** A criminal record check must be conducted on all new attendants to ascertain whether there are criminal acts which have a specific relationship to job duties and responsibilities. Criminal acts which have a specific relationship to job responsibilities include:

A. a conviction for, or admission of, or substantial evidence of an act of child battering, child abuse, child molesting, child neglect, or incest within the previous five years; and

B. a felony conviction within the previous three years, or release from incarceration for a felony conviction within the previous three years.

Subp. 5. **Chemical dependency.** No staff person may be chemically dependent unless the staff person is identified as chemically free for at least 24 consecutive months.

#### **2950.0320 EXTRA DUTY.**

No attendant shall be scheduled for duty for more than 12 consecutive work hours.

#### **2950.0330 ATTENDANT HEALTH.**

Subpart 1. **Mantoux test or chest X-ray (mandatory).** All attendants shall, before employment and annually after that, show freedom from tuberculosis by a report of either a standard Mantoux tuberculin test or chest X-ray. If the Mantoux test is positive or contraindicated, a chest X-ray must be taken. The results of these tests must be reported in writing and made a part of the attendant's personnel record.

Subp. 2. **Contagious disease.** An attendant with a contagious disease must not be permitted to work in the facility until such time that a physician certifies that the attendant's condition will permit return to work without endangering the health of others. The facility administrator shall require that attendants have a medical examination when there is reason to believe the attendant has a contagious disease.

### **STAFF TRAINING**

#### **2950.0400 STAFF TRAINING PLAN.**

Subpart 1. **Preservice training (mandatory).** Attendants shall complete the state sponsored 24-hour juvenile care attendant workshop before regular shift assignments. Attendants or volunteers employed who have not completed the juvenile care attendant workshop, but have received and completed the required orientation training, may work on a shift with a fully trained attendant. However, all training requirements for these individuals must be met within 60 days from the date of employment.

Subp. 2. **Orientation training plan.** Each facility administrator shall develop and implement a training plan for the orientation of new employees and volunteers and provide for continuing in-service training programs for all employees and volunteers. The training plans must be documented and describe curriculum, methods of instruction, and objectives. Orientation training plans must be reviewed and revised to changing conditions.

Subp. 3. **Orientation training.** Written policy and procedures must provide that on-call attendants and volunteers who work in direct contact with juveniles receive training in the operations of the facility. Training must be satisfactorily completed prior to regular shift assignment and include, at a minimum; (a) facility's policies and procedures; (b) residents' rules and regulations; (c) physical restraint procedures (24-hour secure and eight-day temporary holdover facilities); and (d) fire and emergency procedures.

Subp 4. **First aid and cardiopulmonary resuscitation training (CPR) (mandatory).** Each facility administrator shall establish, in cooperation with a responsible health authority, a training program to provide instruction to attendants on the administration of first aid and cardiopulmonary resuscitation (CPR). The training must be satisfactorily completed prior to an attendant working alone on a shift and within 60 days from the attendant's date of employment. There must be at least one attendant certified in CPR and first aid on each shift.

Subp. 5. **Delivery of medication training.** Personnel who are responsible for the delivery and dispensing of medicine (both prescription and nonprescription) to residents must be trained in a delivery and administration of medications course provided by a registered nurse or other qualified person.

Subp. 6. **In-service training.** All attendants shall complete a minimum of four hours of job-related in-service training per year. The training must be documented.

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### JOB DESCRIPTIONS, POLICIES, AND PROCEDURES

#### 2950.0500 GUIDELINES AND RESPONSIBILITIES.

Each facility supervisor shall develop written guidelines that define responsibilities, duties, and qualifications of the persons working in the detention facility.

#### 2950.0510 POLICY AND PROCEDURE MANUALS.

Policies and procedures concerning the facility's operation must be made available to employees at the time of employment and as revised after that time.

### RECORDS AND REPORTS

#### 2950.0600 MAINTENANCE OF RECORDS AND REPORTS.

Subpart 1. **Records, reports, and statistics (mandatory).** The following records, reports, and statistics must be maintained:

- A. admission and release records; and
- B. special occurrence records.

Subp. 2. **Records, reports, and statistics.** The following records, reports, and statistics must be maintained:

- A. staff training records;
- B. resident personal property records;
- C. clothing, linen, and laundry records;
- D. records of budget requests and work orders;
- E. records of policies and procedures;
- F. employee personnel records;
- G. accounting records;
- H. food service records;
- I. daily logs;
- J. medical and dental records; and
- K. disciplinary records.

#### 2950.0610 STORAGE AND PRESERVATION OF RECORDS (MANDATORY).

Space must be provided for the safe storage of records.

#### 2950.0620 ACCESS TO CONFIDENTIAL AND RESIDENT RECORDS (MANDATORY).

Access to resident records shall be provided in conformity with state data privacy law.

### ADMISSION AND RELEASE

#### 2950.0700 ADMISSIONS.

Subpart 1. **Admission policies.** The intake procedure conducted by the attendant must provide the following:

- A. a thorough search of the juvenile and the juvenile's belongings;
- B. a shower (delousing if indicated);
- C. an assessment of health status and physical needs;
- D. an inventory of the juvenile's property and cash (properly recorded and signed by the owner as correct); and
- E. completion of a Department of Corrections admission form.

Subp. 2. **Identification (mandatory).** No juvenile may be received or released by the staff of a facility until the arresting or escorting officer has produced proper credentials or until the proper documents have been completed, identifying the purpose for detention or release.

Subp. 3. **Privacy.** All intake procedures must be conducted in a manner and location that assures the personal privacy of the juvenile and the confidentiality of the transaction.



**2950.0720 RELEASES.**

Subpart 1. **Return of resident property.** Upon release of a resident, the property of that resident, unless held for authorized investigation or litigation, must be returned with a receipt for the resident to sign or for the transporting officer to sign.

Subp. 2. **Transportation.** Residents shall be permitted to make arrangements for transportation before release.

Subp. 3. **Release in severe weather.** No resident shall be released in weather in such a manner as to endanger the resident's health or safety.

**RESIDENT WELFARE AND SECURITY****2950.0800 SEPARATION OF RESIDENTS (MANDATORY).**

Each facility must provide for the separation of living and sanitation facilities to the extent necessary to ensure privacy from residents of the opposite sex.

**2950.0810 INFORMATION TO RESIDENTS.**

Subpart 1. **Information to residents.** Copies of procedures for obtaining personal hygiene items, and policies governing telephone, visitation, correspondence, bathing, laundry, and clothing and bedding exchange must be posted in a conspicuous place or provided to the resident.

Subp. 2. **Rules and disciplinary consequences.** Minimal rules and expectations for resident behavior and specified consequences for violations of such rules must be posted in a conspicuous place or provided to the resident.

Subp. 3. **Official charge, legal basis for detention (mandatory).** Each juvenile admitted to a facility shall be advised of the official charge or legal basis for detention and confinement, information gathered, and to whom disseminated.

**2950.0820 USE OF RESTRAINTS (MANDATORY).**

Subpart 1. **Prohibition.** Instruments of restraint, including handcuffs, chains, irons, and straitjackets, must not be used as punishment.

A. Instruments of restraint must not be used except in the following circumstances:

(1) as a precaution against escape during a transfer;

(2) on medical grounds at the direction of a consulting or attending physician or psychologist; or

(3) by order of the facility administrator or person in charge, if other methods of control fail, in order to prevent a resident from injuring anyone, or from damaging property.

B. The facility administrator shall develop written policies and procedures to govern the use of restraints, if applicable.

C. Instruments of restraint must not be applied for any longer time than is strictly necessary.

D. Each incident involving the use of restraints consistent with item A, subitem (2) or (3), must be documented and kept on file.

Subp. 2. **Disciplinary records.** Disciplinary records must be maintained on all documented disciplinary infractions and punishment administered.

Subp. 3. **Training in use of restraints.** Any attendant authorized to use restraints shall receive appropriate training in the use of such restraints. The training must be documented and in the attendant's personnel file.

**2950.0840 RECREATION AND LEISURE SERVICES.**

Subpart 1. **Written plan.** Each facility must have a written plan that provides residents with recreation and leisure time activities including equipment and materials consistent with licensed capacity.

Subp. 2. **Physical exercise.** Eight-day temporary holdover facilities must offer a minimum of one hour of physical activity daily to all residents including residents on disciplinary segregation status. Physical exercise equipment must be functional and equipped with proper safety features.

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### **2950.0850 EDUCATION PROGRAMMING (EIGHT-DAY TEMPORARY HOLDOVER FACILITIES.)**

Subpart 1. **Educational status assessment.** Each eight-day temporary holdover facility must assign a staff person to assess a new resident's education status as soon as possible after admission.

Subp. 2. **Educational plan.** Juveniles ordered detained in an eight-day temporary holdover facility at the time of a detention hearing shall have an educational plan developed, coordinated with local or appropriate school authorities, and supervised by a designated facility staff person. The plan must reflect the juvenile's present education responsibilities and, if not currently enrolled in school, must address educational activities that may be helpful to the juvenile once released from the facility.

### **2950.0860 RESIDENT VISITATION.**

Subpart 1. **Initial visits for residents (mandatory).** An initial visit for parents, guardians, and attorneys must be permitted at any time.

Subp. 2. **Visiting plan.** Each facility administrator shall develop and implement a resident visiting plan. The plan must be in writing and provide that:

- A. residents be allowed nonmonitored visits with the resident's attorney;
- B. the administrator shall uniformly set the number of permissible visits per resident and the number of visitors permitted for each visit;
- C. visits be allowed for identified members of a resident's immediate family, the resident's attorney, the clergy, and others who would be helpful in planning for the child;
- D. visitors register, giving names, addresses, and relationship to the resident; and
- E. when a visit to a resident is denied on the belief that the visit might endanger the security of the facility or the general welfare of the residents, the action and reasons for denial be documented.

### **2950.0870 CORRESPONDENCE.**

Subpart 1. **Plan for resident mail.** Each facility administrator shall develop a plan for resident mail consistent with established legal rights of residents and facility rules which are reasonable and necessary to protect the facility's security. (Applicable to eight-day temporary holdover facilities only.)

Subp. 2. **Unrestricted volume of mail.** The volume of written mail to or from a resident must not be restricted.

Subp. 3. **Inspection and censorship (mandatory).** Mail must not be read or censored if between a resident and an elected official, officials of the Department of Corrections, the ombudsman for corrections, attorneys, or other officers of the court. Inspection of incoming and outgoing mail from this group is permitted in the presence of the resident.

Subp. 4. **Contraband.** If contraband is discovered in either incoming or outgoing mail, it must be removed.

### **2950.0880 TELEPHONE.**

Each facility administrator shall develop and implement a plan for residents' telephone usage consistent with established legal rights of juveniles and reasonable and necessary facility regulations to protect the facility's security.

### **2950.0890 RESIDENT CLOTHING, BEDDING, AND LAUNDRY SERVICES.**

Subpart 1. **Resident clothing.**

A. Each resident shall have neat, clean clothing appropriate for the season. Clothing must be provided by the facility if the resident does not possess sufficient clothing.

B. Clothing used to supplement residents' personal clothing must be of a nonjail/nonuniform type.

C. Clothing exchanges must occur twice a week minimally or more often as necessary. (Applicable to eight-day temporary holdover facilities only.)

D. Residents' excess personal clothing must be returned to designated family members or stored in a manner which prevents mildew and other damage. Excess personal property of each resident which is stored in the facility shall be inventoried and the resident provided a receipt. (Eight-day temporary holdover facilities.)

Subp. 2. **Linens and bedding.**

A. Upon request, or after eight hours, each resident shall be issued clean, sanitary, and fire-retardant bedding.

B. Sheets must be laundered and blankets cleaned before reissuing them to another resident (mandatory).

Subp. 3. **Removing clothing and bedding.** The facility administrator shall develop policies and procedures governing incidents in which residents misuse clothing or bedding. Clothing and bedding must be removed from a resident only when the resident's

behavior threatens the health, safety, or security of self, others, or property. Clothing and bedding must be returned to the resident as soon as it is reasonable to believe that the behavior that caused the action will not continue. A special occurrence report must be completed and filed within the facility following such an incident.

**2950.0895 EMERGENCIES.**

Subpart 1. **Emergency plan (mandatory).** The facility administrator shall develop a written emergency plan. The plan must include:

- A. location of alarms and firefighting equipment;
- B. emergency drill policy;
- C. specific assignments and tasks for personnel;
- D. persons and emergency departments to be notified;
- E. a procedure for evacuation of residents; and
- F. arrangements for temporary confinement of residents.

Subp. 2. **Copies of plan.** Copies of the emergency plan must be available to all staff within the facility at a central work station.

Subp. 3. **Review of emergency procedures (eight-day temporary holdover facilities only).** There must be a documented quarterly review of emergency procedures by staff that includes:

- A. assignment of persons to specific tasks in case of emergency situations;
- B. instructions in the use of alarm systems and signals;
- C. systems for notification of appropriate persons outside the facility;
- D. information on the location and use of emergency equipment in the facility; and
- E. specification of evacuation routes and procedures.

Subp. 4. **Other emergency planning.** In addition to development of an emergency plan as outlined in subpart 1, emergency planning must be sufficient to provide immediate and effective action in the event of:

- A. hostage incidents;
- B. escape and escape attempts;
- C. suicide and attempted suicide;
- D. illness or accident deemed an emergency;
- E. power failure;
- F. major resident disturbances;
- G. assaults;
- H. outbreaks of contagious disease or epidemic; and
- I. precautions and safety measures during tornado alerts.

Subp. 5. **Reporting of special incidents.** Incidents or special occurrences which endanger the lives or safety of staff or residents or the safety of the physical plant must be reported. Reports must include the names of staff members and residents involved, the nature of the special occurrence, actions taken, and the date and time of the occurrence. Special occurrences include, but are not limited to:

- A. attempted suicide;
- B. suicide;
- C. homicide;
- D. death other than suicide or homicide;
- E. serious injury or illness occurring after detention;

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## Proposed Rules

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- F. escape or runaway;
- G. fire causing serious damage;
- H. riot;
- I. assaults requiring medical care;
- J. other serious disturbances; or
- K. occurrences of infectious diseases and disposition of the occurrences.

Special occurrences must be reported on forms provided by the department or comparable forms used by the facility.

In the event of an emergency such as serious illness, accident, or death, the resident's family or others who maintain a close relationship must be notified.

Subp. 6. **Resident death (mandatory).** When a resident's death occurs:

- A. the date, time, and circumstances of the resident's death must be recorded in the resident's record;
- B. if the resident dies in the facility, the coroner, medical examiner, or sheriff must be notified immediately;
- C. personal belongings must be handled in a responsible and legal manner;
- D. records of a deceased resident shall be retained for a period of time in accordance with law; and
- E. the facility administrator shall observe all pertinent laws and allow appropriate investigating authorities full access to all facts surrounding the death.

### FOOD SERVICE

#### 2950.0900 FOOD HANDLING PRACTICES (MANDATORY).

Food service must be provided in accordance with the Minnesota Department of Health, parts 4625.2501 to 4625.5000.

#### 2950.0910 FREQUENCY OF MEALS.

A minimum of three meals a day must be made available at regular times during each 24-hour period. There must be no more than 14 hours between a substantial evening meal and breakfast.

#### 2950.0920 CATERED FOOD.

When food is catered into the facility, it must be obtained from a source acceptable to the Minnesota Department of Health.

#### 2950.0930 USE OF FOOD AS DISCIPLINE (MANDATORY).

Food must not be withheld as punishment.

#### 2950.0940 HOT MEAL MINIMUM.

A minimum of one hot meal must be provided for each 24 hours of confinement.

#### 2950.0950 THERAPEUTIC DIETS (MANDATORY.)

A facility housing juveniles in need of medically prescribed therapeutic diets must document that the diets are provided as ordered by the attending physician.

#### 2950.0960 SUPERVISION OF MEAL SERVING.

All meals must be served under the direct supervision of staff.

### SECURITY

#### 2950.1000 WEAPONS, TOOLS, EQUIPMENT, HAZARDOUS SUBSTANCES.

Subpart 1. **Firearms and dangerous weapons (mandatory).** Firearms or other dangerous weapons, regardless of condition, must not be located within the temporary holdover facility.

Subp. 2. **Dangerous materials and hazardous substances (mandatory).** Materials dangerous to the security, safety, and health of juveniles and staff must be properly secured, inventoried, and dispensed. Hazardous substances must not be stored within resident living areas. Cleaning substances which can be so described must be handled only by attendants or residents under direct attendant supervision.

Subp. 3. **Tool control.** When not in use, all tools must be kept in locked storage areas. Written security plans must be developed and implemented for the accountability for tools entering and leaving the storage areas.

**ENVIRONMENTAL, PERSONAL HEALTH, AND SANITATION****2950.1100 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES (MANDATORY).**

Subpart 1. **Availability of resources.** Each facility must have a licensed physician or medical resource, such as a hospital or clinic, designated for the medical supervision and treatment of residents. Resources must ensure service 24 hours a day.

Subp. 2. **Emergency dental care.** Each facility must have emergency dental care available to residents.

Subp. 3. **Ambulance service.** Ambulance service must be available 24 hours a day.

Subp. 4. **Examination of resident where medical attention is necessary.** A resident shall be examined by trained medical personnel if the resident is visibly ill, or when it is suspected that medical attention is necessary.

**2950.1200 POSTING OF AVAILABLE RESOURCES (MANDATORY).**

A listing of telephone numbers of the medical, dental, and ambulance service available must be posted at each staff station along with the schedule of availability.

**2950.1300 FIRST AID.**

Subpart 1. **Training of attendants (mandatory).** Attendants responsible for the supervision, safety, and well-being of residents shall be trained in emergency first aid and cardiopulmonary resuscitation (CPR).

Subp. 2. **First aid kit.** Each facility must have a minimum of one first aid kit located at the facility's control center or primary staff station.

**2950.1400 MEDICAL RECORDS.**

Subpart 1. **Records of illness and injury.** Each facility must record all complaints of illness or injury and actions taken.

Subp. 2. **Medical and dental records (mandatory).** Records must be maintained on residents under medical or dental care. The records must include at a minimum:

- A. the limitations and disabilities of the resident;
- B. instructions for resident care;
- C. orders for medication, including stop date;
- D. any special treatment or diet;
- E. activity restriction; and
- F. dates and times when the resident was seen by medical personnel.

**2950.1500 PREVENTIVE HEALTH SERVICES.**

Subpart 1. **Written plan for personal hygiene.** The facility administrator shall develop and implement a written plan for resident personal hygiene, with special assistance for those residents who are unable to care for themselves.

Subp. 2. **Delousing materials.** Delousing materials and procedures must be approved through consultation with health care personnel.

Subp. 3. **Bathing.** Each resident shall be permitted daily bathing or showering.

Subp. 4. **Hygienic supplies.** Residents shall be provided personal hygiene items at facility expense.

**2950.1600 DELIVERY, SUPERVISION, AND CONTROL OF MEDICINES.**

Subpart 1. **Legend drugs (mandatory).** Facility policy must prohibit stock supplies of legend drugs.

Subp. 2. **Policy for storage, delivery, and control of medicine.** The facility administrator, in consultation with a licensed physician or physician trained paramedic, shall develop procedures for the secure storage of medicine. The policy must include the following storage requirements:

- A. medicine stored in a locked area;
- B. the storage area kept locked at all times;

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## Proposed Rules

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- C. medicine requiring refrigeration be refrigerated and secured;
- D. residents not be permitted in the medicine storage area;
- E. only staff authorized to deliver medicine may have access to keys for the medicine storage area;
- F. prescribed medicine be kept in its original container, bearing the original label; and
- G. poisons and medicine intended for external use be clearly marked and stored separately from medicine intended for internal use.

Subp. 3. **Procedures for delivery of medicine.** Each facility must adopt procedures for the delivery of medicine.

A. The procedures must include the following (mandatory):

(1) Requirements that medicine administered by injection be administered by a physician, registered nurse, or licensed practical nurse. Diabetics under physician order and direct staff supervision shall be permitted to self-administer insulin.

(2) Requirements that no resident while receiving legend drugs may receive any nonlegend drug without the approval of the attending physician.

(3) Procedures for reporting to the physician any adverse reactions to drugs. Any reports must be included in the resident's file.

(4) Procedures for reporting to the attending physician a resident's refusal of prescribed medicine, and for making an explanation in the resident's record.

(5) Procedures for ensuring that no resident is deprived of prescribed medicine as punishment or staff retaliation.

(6) Procedures that prohibit the delivery of medicine by residents.

(7) Procedures requiring that a physician be contacted for instructions before the next prescribed medicine dosage time for all newly admitted residents who are either in possession of prescribed medicine or indicate a need for prescribed medicine.

B. Procedures must also include the following:

(1) medicine delivered to a resident is to be self-administered under staff supervision;

(2) a means for the positive identification of the recipient of medicine;

(3) procedures and records to assure that medicine is delivered in accordance with physician instructions, and by whom; and

(4) procedures for confirming that medicine delivered for oral ingestion has been ingested.

Subp. 4. **Records of receipt, dispensation of drugs.** Records of receipt, the quantity of the drugs, and the dispensation of legend drugs must be maintained in sufficient detail to enable an accurate accounting.

Subp. 5. **Medicine given to resident upon release.** Prescription medicine belonging to a resident must be given to the resident or to the appropriate authority upon transfer or release and recorded in the resident's file.

Subp. 6. **Destruction of unused prescribed medicine.** Unused prescribed medicine must be destroyed by incineration or by flushing into the sewer system. The resident's record must indicate what was destroyed, who destroyed it, and how it was destroyed.

### **2950.1700 REPORTING SUSPECTED COMMUNICABLE DISEASE (MANDATORY).**

It is the responsibility of the facility administrator or person in charge, in consultation with the attending physician, to report to the Minnesota Department of Health any known or suspected communicable disease.

### **2950.1800 SEPARATION OF RESIDENTS SUSPECTED OF HAVING A COMMUNICABLE DISEASE (MANDATORY).**

Subpart 1. **General.** Residents suspected of having a communicable disease shall be separated from other residents.

Subp. 2. **Written policies and procedures.** Written policies and procedures shall address the management of serious and infectious diseases. These policies and procedures shall be ordered as new information becomes available.

### **2950.1900 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE.**

Subpart 1. **General.** The facility must be kept in good repair to protect the health, comfort, safety, and well-being of residents and staff.

Subp. 2. **Maintenance plan.** The person responsible for plant maintenance, housekeeping, and sanitation shall develop a written maintenance plan.

Subp. 3. **Compliance with rules (mandatory).** Housekeeping, sanitation, water supplies, plumbing, sewage disposal, solid

waste disposal, and plant maintenance conditions must comply with rules required by the Minnesota State Building Code, the Minnesota Fire Marshal's Office, the Minnesota Department of Health, the Minnesota Department of Labor and Industry (OSHA), and other departmental rules having the force of law.

Subp. 4. **Plan for daily inspection.** The facility administrator shall establish a plan for the daily inspection of housekeeping, sanitation, and plant maintenance when the facility is occupied.

Subp. 5. **Policies and procedures to detect deterioration of building and equipment.** The facility administrator shall develop policies and procedures designed to detect and repair or replace building and equipment deterioration, safety hazards, and unsanitary conditions.

Subp. 6. **Reporting of unsanitary and unsafe conditions (mandatory).** Facility staff shall report to the facility administrator any unsanitary or unsafe conditions as well as physical plant and equipment repairs or replacement needs.

Subp. 7. **Priority of work requests.** The facility must have a process for prioritizing work requests and reporting to the governing body in an expedient manner.

Subp. 8. **Reports of repair.** The facility must have a records system for review of budget, work requests, expenditures, dates, and actions pursuant to detection of need, submission of work orders, and completion of requests.

Subp. 9. **Elimination of conditions conducive to vermin (mandatory).** Any condition in the facility conducive to harborage of breeding insects, rodents, or other vermin must be eliminated immediately.

Subp. 10. **Fire inspection (mandatory).** Fire inspections of the facility must be conducted yearly by a state fire marshal or local fire official. Documentation of the inspection and any resulting orders must be maintained and available for inspection by the regulatory authority. Failure to comply with fire safety requirements will result in a denial of approval for continued facility operation.

## Department of Human Services

### Proposed Permanent Rules Governing Department Health Care Program Participation Requirements for Vendors and Health Maintenance Organizations

#### Notice of Hearing

**NOTICE IS HEREBY GIVEN** that a public hearing on the above-entitled matter will be held at the Minnesota State Lottery Regional Office Conference Room, 1060 Lone Oak Road, Eagan, Minnesota 55121, on Thursday, March 3, 1994, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Bruce D. Campbell, Administrative Law Judge, Office of Administrative Hearings, 100 Washington Square #1700, 100 Washington Avenue South, Minneapolis, Minnesota 55401-2138; telephone (612) 341-7602, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may, at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. Any written material or responses must be received at the office no later than 4:30 p.m. on the final day. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have five business days to respond in writing to any new information submitted during the comment period. During the five-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the five-day period. Any written material or responses must be received at the office no later than 4:30 p.m. on the final day. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, section 14.50. The

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## Proposed Rules

rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

*Minnesota Rules*, parts 9505.5200 to 9505.5240 establish requirements for participation by vendors of medical care and health maintenance organizations in the medical assistance, general assistance medical care, and MinnesotaCare programs. Participation in these programs is required as a condition of participating as a provider or contractor for other health insurance programs for state and local public employees, the worker's compensation system, and the Minnesota comprehensive health association.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 256B.0644.

Adoption of these rules will not result in additional spending by local public bodies in the excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Martha N. O'Toole, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816 (tel. 612-296-7815).

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Martha N. O'Toole, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816. A copy of the rule may also be viewed at any of the 87 county welfare agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule, contact Jane Martin, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3853 (tel. 612-296-7811).

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

**NOTICE IS HEREBY GIVEN** that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Lobbyists must register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 1st Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, (612) 296-5148.

Dated: 6 January 1994

Maria R. Gomez  
Commissioner

### Rules as Proposed (all new material)

#### 9505.5200 PURPOSE.

Parts 9505.5200 to 9505.5240 establish requirements for participation by vendors and health maintenance organizations in the medical assistance program, general assistance medical care program, and MinnesotaCare as a condition of participating in other state health care programs.

#### 9505.5210 DEFINITIONS.

Subpart 1. **Applicability.** For the purposes of parts 9505.5200 to 9505.5240, the terms in this part have the meanings given them.

Subp. 2. **Capitation rate.** "Capitation rate" means a method of payment for health care services under which a monthly per person rate is paid on a prospective basis to a health plan.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Department of Human Services or the commissioner's designated representative.

Subp. 4. **Department.** "Department" means the Department of Human Services.

Subp. 5. **Department health care programs.** "Department health care programs" means:

- A. general assistance medical care;
- B. medical assistance; and



C. MinnesotaCare.

Subp. 6. **Fee-for-service.** "Fee-for-service" means a method of payment for health services under which a specific amount is paid for each type of health service provided a recipient.

Subp. 7. **General assistance medical care.** "General assistance medical care" has the meaning given in *Minnesota Statutes*, section 256D.02, subdivision 4a.

Subp. 8. **Geographic area.** "Geographic area" means a portion of a county, a county, or multiple counties as designated by the commissioner for purposes of providing department health care programs through a prepaid contract.

Subp. 9. **Health maintenance organization or HMO.** "Health maintenance organization" or "HMO" means an organization specified in *Minnesota Statutes*, section 62D.02, subdivision 4.

Subp. 10. **Health plan.** "Health plan" means a health maintenance organization or other organization that contracts with the department to provide health services to recipients under a prepaid contract.

Subp. 11. **Health services.** "Health services" means the goods and services eligible for payment under a department health care program.

Subp. 12. **Medical assistance.** "Medical assistance" means the program authorized under title XIX of the Social Security Act and *Minnesota Statutes*, chapter 256B.

Subp. 13. **MinnesotaCare.** "MinnesotaCare" means the program authorized under *Minnesota Statutes*, sections 256.9351 to 256.9363.

Subp. 14. **Other state health care programs.** "Other state health care programs" means:

A. health insurance plans for state employees covered under *Minnesota Statutes*, section 43A.18;

B. the workers' compensation system established under *Minnesota Statutes*, section 176.135;

C. the public employees insurance program authorized under *Minnesota Statutes*, section 43A.316;

D. insurance plans provided through the Minnesota comprehensive health association under *Minnesota Statutes*, sections 62E.01 to 62E.16; and

E. health insurance plans offered to local statutory or home rule charter city, county, and school district employees.

Subp. 15. **Prepaid contract.** "Prepaid contract" means a contract between the department and a health plan under which health services are provided recipients for a capitation rate.

Subp. 16. **Provider.** "Provider" means a vendor other than a health maintenance organization that has signed an agreement approved by the department for the provision of health services to a recipient.

Subp. 17. **Recipient.** "Recipient" means a person who is determined by the state or local agency to be eligible to receive health services under a department health care program.

Subp. 18. **Vendor.** "Vendor" means a vendor of medical care, other than a health maintenance organization, as defined in *Minnesota Statutes*, section 256B.02, subdivision 7.

**9505.5220 CONDITIONS OF PARTICIPATION; VENDOR OTHER THAN HEALTH MAINTENANCE ORGANIZATION.**

Subpart 1. **Required participation.** As a condition of participating in the other state health care programs listed in part 9505.5210, subpart 14, a vendor other than a health maintenance organization must:

A. participate as a provider in the department health care programs; and

B. except as provided in subparts 3 and 4, accept on a continuous basis new patients who are recipients, and use the same acceptance criteria applied to new patients who are not recipients.

Subp. 2. **Exclusion from other state health care programs.** A vendor that fails to comply with the requirements of this part is excluded from participating in other state health care programs listed in part 9505.5210, subpart 14, except as provided in items A and B.

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A. In geographic areas where provider participation in department health care programs is limited by department managed care contracts, a vendor that fails to comply is not excluded from participating in insurance plans offered to local government employees.

B. A vendor who enrolls as a provider at the request of the department for the sole purpose of ensuring continuity of care for recipients who are temporarily ineligible for the vendor's health plan is not subject to the requirements of this part unless the vendor provides health services on a fee for service basis to patients not covered by department health care programs.

Subp. 3. **Limiting acceptance of recipients; 20 percent threshold.** A provider may limit acceptance of new patients who are recipients, only as provided in items A to D.

A. The provider, at least annually, shall determine annual active patient caseload. Annual active patient caseload means:

(1) the total number of patient encounters that result in a billing during the provider's most recent fiscal year; or

(2) if enrolled as a provider for less than a year, the total number of patient encounters that result in a billing during the period between enrollment and the end of the provider's fiscal year.

B. A provider may include, in the determination, patient encounters from all service sites enrolled under the provider's number but shall count only one patient encounter per patient per day regardless of the number of service sites involved in the patient's health care. A provider may count recipients receiving health services on a fee-for-service basis and under a prepaid contract.

C. If at least 20 percent of the provider's annual active patient case load are and continue to be recipients, the provider may refuse to accept new patients who are recipients for the remainder of the provider's fiscal year.

D. The provider shall notify the department in writing at least ten days before limiting acceptance of new patients who are recipients. The notice must include the active patient caseload data upon which the provider relied in calculating the percentage of patients who are recipients. The provider shall provide any other information required by the commissioner to verify compliance with parts 9505.5200 to 9505.5240.

Subp. 4. **Waiver.** A vendor may annually request a waiver from the participation requirements of this part in writing from the commissioner. The commissioner shall grant a waiver and shall include the vendor on the list of participating providers in part 9505.5240 for one year if:

A. the vendor is a provider who is not accepting new patients, regardless of payer source; or

B. the vendor is ineligible to enroll as a provider in the department health care programs because the vendor does not provide a covered health service.

### **9505.5230 CONDITIONS OF PARTICIPATION; HEALTH MAINTENANCE ORGANIZATION.**

Subpart 1. **Participation in department health care programs.** As a condition of participating in the other state health care programs listed in part 9505.5210, subpart 14, a health maintenance organization must participate in each department health care program within its approved service area as provided in items A to C.

A. A health maintenance organization must submit a response to a department request for proposals to contract as a health plan if the HMO:

(1) is licensed for a service area that includes all or part of the geographic area identified in the request for proposals and does not meet its participation threshold under subpart 3; or

(2) is licensed for a service area that includes all or part of the geographic area in the request for proposals and is currently under contract with the department to provide health services under a mandatory health program in the geographic area identified in the request for proposals. A mandatory health program is a health program in a geographic area where recipients must receive health services from a health plan.

B. An HMO required to respond under item A must submit a proposal that meets the requirements in the request for proposals.

C. Before issuing a request for proposals in a geographic area, the commissioner shall notify HMOs licensed for a service area within the geographic area whether a response is required.

Subp. 2. **Exclusion from other state health care programs.** A health maintenance organization that fails to comply with the requirements of this part is not eligible to contract to provide health services covered under the other state health care programs listed in part 9505.5210, subpart 14.

Subp. 3. **Participation threshold.** Before issuing a request for proposals for health plan contracts, the commissioner shall determine whether each health maintenance organization licensed for a service area within the geographic area has met its participation threshold.

A. An HMO has met its participation threshold if it has enrolled at least its proportion of the market share of recipients, calculated as provided in this item. Assuming the definitions listed below, that calculation is made as described after the definitions.

(1) A means the total number of persons enrolled statewide in the specific health maintenance organization;

(2) B means the total number of persons enrolled statewide in health maintenance organizations;

(3) C means the number of recipients enrolled statewide in the specific health maintenance organization; and

(4) D means the total number of recipients enrolled statewide in health maintenance organizations plus the estimated total number of recipients to be enrolled in the geographic area specified in the department's request for a proposal.

If C divided by D is a number less than the number obtained by dividing A by B,

$$\left[ \begin{array}{c} C \\ \hline D \end{array} \right] \text{ is less than } \left[ \begin{array}{c} A \\ \hline B \end{array} \right]$$

the health maintenance organization has not enrolled its market share of recipients.

B. The total number of persons enrolled statewide in health maintenance organizations is determined annually using the number in the most recent annual health maintenance organization report issued by the Minnesota Department of Health. The Minnesota Department of Health report entitled "HMOS; Statistical Report on Health Maintenance Organization Operations in Minnesota" is incorporated by reference and is updated annually. It is available at the Minnesota Legislative Reference Library, 600 State Office Building, 100 Constitution Avenue, Saint Paul, Minnesota 55155.

C. The number of recipients enrolled in health maintenance organizations is determined using the most recent monthly enrollment report maintained by the Minnesota Department of Human Services. The monthly enrollment report is available from the Department of Human Services, Coordinated Care Division, 444 Lafayette Road, Saint Paul, Minnesota 55155-3854.

Subp. 4. **HMO subcontracts with other HMOs.** If a health maintenance organization subcontracts all or a portion of its provider network to another HMO, only one HMO, as designated by the contracting HMOs, may count the enrolled recipients for purposes of compliance with this part.

Subp. 5. **Licensed health maintenance organization that is a controlling organization.** If a corporation consists of more than one health maintenance organization licensed under *Minnesota Statutes*, chapter 62D, each of the licensed HMOs must comply with this part; except, if one of the corporation's licensed HMOs is a controlling organization as defined under *Minnesota Statutes*, section 317A.011, subdivision 18, the controlling organization must comply, using the combined market share of its related health maintenance organizations to calculate the proportion of market share.

Subp. 6. **Other enrollment limitation.** If three or more health plans are under contract with the department in a geographic area, each HMO in the geographic area may limit its enrollment of recipients to 55 percent of the total number of recipients enrolled in the geographic area.

Subp. 7. **Contracting as a health plan.** To contract as a health plan, a health maintenance organization must meet the specifications in the department's request for proposal. When an HMO contracts as a health plan for the first time in a geographic area, the contract may provide that the HMO will offer recipients a choice of individual health professionals or health care locations that is not identical to the choice offered state employees, corporate purchasers, or Medicare enrollees.

#### **9505.5240 REPORTS; EXCLUSION FROM PARTICIPATION.**

Subpart 1. **Quarterly reports to state agencies.** The commissioner shall submit quarterly reports to the commissioners of Employee Relations, Labor and Industry, and Commerce identifying the providers and health maintenance organizations in compliance with parts 9505.5200 to 9505.5230. The commissioner shall submit a master report of participating providers and HMOs on April 1 of each year and shall submit subsequent quarterly amendments. The commissioner shall publish in the *State Register* notice of the availability of the reports. The reports must be in a format mutually agreeable to the affected agencies.

Subp. 2. **Notice of noncompliance.** If the commissioner has reason to believe a participating provider or health maintenance organization is not in compliance with parts 9505.5200 to 9505.5240, the commissioner shall notify the provider or HMO in writing of the alleged noncompliance. The notice must state that the commissioners listed in subpart 1 will be notified and the provider or

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Emergency Rules

health maintenance organization will be excluded from participating in the other state health care programs listed in part 9505.5210, subpart 14, unless evidence of compliance is provided within 30 days.

Subp. 3. **Exclusion for noncompliance.** Within 30 days after receiving evidence provided in response to a notice of alleged noncompliance, the commissioner shall notify the provider or health maintenance organization whether compliance has been demonstrated. The commissioner shall remove from the list of participating providers and HMOs in the next subsequent quarterly report a provider or HMO that is not in compliance with parts 9505.5200 to 9505.5240.

Subp. 4. **Reinstatement.** The commissioner shall reinstate on the list of participating providers and health maintenance organizations in the quarterly report under subpart 1 an excluded provider or HMO that demonstrates compliance with parts 9505.5200 to 9505.5240.

## Emergency Rules

### Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

### Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

### Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. §§14.14-14.28 supercede emergency rules.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules; Border Water Fishing Changes

**NOTICE IS HEREBY GIVEN** that the above entitled proposed rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subdivision 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.045, subdivision 4; and 97C.375.

Dated: 20 January 1994

Rodney W. Sando, Commissioner  
Department of Natural Resources

### Rules as Adopted

#### 6266.0300 TAKING OF FISH ON MINNESOTA-NORTH DAKOTA BOUNDARY WATERS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Spearing and archery restrictions.** The taking of fish by spearing or archery is prohibited on Minnesota-North Dakota boundary waters, except that carp, buffalo, sheepshead, suckers, redhorse, bowfin, and gar may be taken by spearing or archery and possessed without limit from May 1 to December 31 between sunrise and sunset each day. A person may not have in possession in a shelter house on the ice any spear, spring gaff, bow and arrow, or dip net.

[For text of subps 4 to 7, see M.R.]

**6266.0400 TAKING OF FISH ON MINNESOTA-SOUTH DAKOTA BOUNDARY WATERS.**

[For text of subpart 1, see M.R.]

Subp. 2. **Species, seasons, and limits on Minnesota-South Dakota boundary waters.** The following applies to the species, seasons, and limits for taking fish on Minnesota-South Dakota boundary waters:

Species	Open Season	Daily and Possession Limits
A. Walleye and sauger	Last Saturday in April through last day in February	6
B. Northern pike	Last Saturday in April through last day in February	6
C. Small and large mouth bass	Last Saturday in April through last day in February	6
D. Crappie	Continuous	30
E. Sunfish and bluegill	Continuous	30
F. Rock bass	Continuous	20
G. Bullhead	Continuous	100
H. Perch	Continuous	50
I. Catfish	Continuous	8
J. Sturgeon	<del>Continuous</del> Closed	<del>1-0-</del>
K. Carp, buffalo, sheepshead, sucker, redhorse, bowfin, burbot, gar, and white (striped) bass	Continuous	No limits

When the closing falls on a Saturday, the season will extend through the following Sunday.

[For text of subps 3 to 11, see M.R.]

**EFFECTIVE PERIOD.** These amendments to parts 6266.0300, subpart 3, and 6266.0400, subpart 2, are effective through December 31, 1994.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules; 1994 Spring Turkey Quotas and Season Changes

**NOTICE IS HEREBY GIVEN** that the above entitled proposed rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subdivision 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.091, subdivision 2; 97A.137, subdivision 2; 97B.711, subdivision 1; and 97B.723.

Dated: 20 January 1994

Rodney W. Sando, Commissioner  
Department of Natural Resources

#### Rules as Adopted

**6236.0600 SPRING TURKEY SEASON.**

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Open areas.** ~~Eleven~~ Fourteen turkey zones, numbered between 1 and ~~21~~ 30, are open during the spring turkey season.

## Emergency Rules

### 6236.0800 TURKEY ZONE DESCRIPTIONS.

[For text of subs 1 to 4, see M.R.]

Subp. 5. **Turkey Zone 5.** Turkey Zone 5 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 61 and County State Aid Highway (CSAH) 49 U.S. Highway 63, Goodhue County; thence along CSAH 49 to the intersection of U.S. Lock and Dam No. 3 access road located at the north quarter corner of Section 5, Township 113 North, Range 15 West, Goodhue County; thence due east north along U.S. Highway 63 to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of the Zumbro River and the Mississippi River; thence due west to the Zumbro River; thence along the Zumbro River to U.S. Highway 61; thence along U.S. Highway 61 to State Trunk Highway (STH) 42; thence along STH 42 to CSAH 7, thence along CSAH 7 to Interstate (I) 90; thence along I 90 to U.S. Highway 52; thence along U.S. Highway 52 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 60 to Interstate (I) 35, Rice County; thence along I 35 to STH 19; thence along STH 19 to STH 20; thence along STH 20 to U.S. Highway 61; thence along U.S. Highway 61 to the point of beginning.

[For text of subs 6 and 7, see M.R.]

Subp. 8. **Turkey Zone 12.** Turkey Zone 12 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 68; thence along STH 68 to County State Aid Highway (CSAH) 45, Blue Earth County; thence along CSAH 45 to CSAH 24, Nicollet County; thence along CSAH 24 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 12, Nicollet County; thence along CSAH 12 to CSAH 5, Nicollet County; thence along CSAH 5 to CSAH 2, Nicollet County; thence along CSAH 2 to CSAH 3, Nicollet County; thence along CSAH 3 to CSAH 9, Sibley County; thence along CSAH 9 to CSAH 8, Sibley County; thence along CSAH 8 to the midpoint of the Minnesota River; thence along the midpoint of the Minnesota River to U.S. Highway 14 State Trunk Highway (STH) 99, Le Sueur County; thence along STH 99 to CSAH 15; thence along CSAH 15 to STH 60, Blue Earth County; thence along U.S. Highway 14 to STH 22; thence along STH 60 to U.S. Highway 14; thence along U.S. Highway 14 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

[For text of subp 9, see M.R.]

Subp. 10. **Turkey Zone 20.** Turkey Zone 20 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 98 and U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 30, Chisago County; thence along CSAH 30 to STH 95; thence along STH 95 to CSAH 9, Chisago County; thence along CSAH 9 to U.S. Highway 8; thence along U.S. Highway 8 to STH 98; thence along STH 98 to the point of beginning All of Chisago County lying East of Interstate (I)35, except that portion of the state known as the Carlos Avery Wildlife Management Area (including the Sunrise Addition in Chisago County).

Subp. 11. **Turkey Zone 21.** Turkey Zone 21 consists of that portion of the state known as Washington County and those portions of Dakota and Goodhue counties lying within the following described boundary: <BII> All of Washington County Beginning at the intersection of U.S. Highway 61 and the Mississippi River, Dakota County; thence along U.S. Highway 61 to U.S. Highway 63, Goodhue County; thence due north along U.S. Highway 63 to the east boundary of the state.

Subp. 12. **Turkey Zone 22.** Turkey Zone 22 consists of that portion of the state known as the Carlos Avery Wildlife Management Area (including the Sunrise River Addition), Anoka and Chisago counties.

Subp. 13. **Turkey Zone 30.** Turkey Zone 30 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate (I)94 at County State Aid Highway (CSAH) 15, Stearns County; thence south-easterly along I 94 to CSAH 8, Wright County; thence along CSAH 8 to CSAH 35; thence along CSAH 35 to CSAH 21, Meeker County; thence along CSAH 21 to State Trunk Highway (STH) 15; thence along STH 15 to the point of beginning.

### 6236.0900 SPECIAL PROVISIONS FOR TAKING TURKEYS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Game refuges open to taking turkeys.** The Lost Lake Refuge in Fillmore County, Whitewater State Game Refuge in Winona County, and the St. Croix River and Stillwater Game Refuges in Washington County are open for the taking of turkeys during the open seasons.

Subp. 5. **Wildlife management areas open to taking turkeys.** That portion of the Carlos Avery Wildlife Management Area posted with "Wildlife Sanctuary Do Not Trespass" signs that lies within zone 22 is open for the taking of turkeys during the spring turkey season.

**6236.1050 [Emergency] TURKEY HUNT QUOTAS.**

Quotas on hunter numbers are established annually by the commissioner for each zone and time period. Information on these quotas can be obtained in the application and annual hunting regulations and as follows:

**NUMBER OF TURKEY LICENSES AVAILABLE BY ZONE**

Time Period	Dates	Zone Quotas				
		1	2	3	4	5
A	Apr 13-17	225	400	310	125	225
B	Apr 18-22	225	400	310	125	225
C	Apr 23-27	225	400	310	125	225
D	Apr 28-May 2	225	400	310	125	225
E	May 3-7	225	400	310	125	225
F	May 8-12	225	400	310	125	225
G	May 13-17	225	400	310	125	225
<b>Total</b>		<b>1575</b>	<b>2800</b>	<b>2170</b>	<b>875</b>	<b>1575</b>

Time Period	Dates	Zone Quotas				
		10	11	12	13	15
A	Apr 13-17	15	15	20	15	10
B	Apr 18-22	15	15	20	15	10
C	Apr 23-27	15	15	20	15	10
D	Apr 28-May 2	15	15	20	15	10
E	May 3-7	15	15	20	15	10
F	May 8-12	15	15	20	15	10
G	May 13-17	15	15	20	15	10
<b>Total</b>		<b>105</b>	<b>105</b>	<b>140</b>	<b>105</b>	<b>70</b>

Time Period	Dates	Zone Quotas			
		20	21	22	30
A	Apr 13-17	15	15	15	15
B	Apr 18-22	15	15	15	15
C	Apr 23-27	15	15	15	15
D	Apr 28-May 2	15	15	15	15
E	May 3-7	15	15	15	15
F	May 8-12	15	15	15	15
G	May 13-17	15	15	15	15
<b>Total</b>		<b>105</b>	<b>105</b>	<b>105</b>	<b>105</b>

**GRAND TOTAL = 9,940 PERMITS**

EFFECTIVE PERIOD. The amendments to these rules and part 6235.1050 are effective through December 31, 1994.

# Executive Orders

## Executive Department

### Emergency Executive Order 94-1 Providing for the Closing of all Minnesota Public Schools (K-12) and the Opening of State Armories for Shelter

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Emergency Executive Order:

WHEREAS, weather reports on Monday, January 17, 1994, forecast extreme cold temperatures across the entire state: the coldest temperatures in the last ten years; and

WHEREAS, a travel advisory has been issued for the entire state due to the poor and worsening conditions of roads and highways; and

WHEREAS, a wind chill warning has also been issued for the entire state; and

WHEREAS, the Minnesota Department of Transportation has reported that salt and sand on state roads and highways are not effective in the extreme cold, and that many roads are considered dangerous, or are being closed, to travel; and

WHEREAS, "white-out" conditions exist in the southwestern portion of the state, and snow plows are being taken off the roads; and

WHEREAS, exposure to extreme cold and wind chill is a known danger: physicians advise that skin may freeze after 30 seconds of exposure; and

WHEREAS, temperature at 6:00 p.m. on Monday, January 17th, are reported as follows:

- 20 at MSP airport with a wind chill of -50
- 22 at St. Cloud
- 71 wind chill at Rochester
- 73 wind chill in Alexandria
- 63 wind chill at Duluth; and

WHEREAS, the poor driving conditions and dangerously low temperatures create a special hazard for children; and

WHEREAS, I have concluded, after consultation with staff and reviewing the conditions above, that a peacetime emergency exists due to this act of nature endangering the health, safety, life and property of Minnesotans;

NOW, THEREFORE, I hereby order that:

1. The Commissioner of Education shall order that all Minnesota public schools (K-12) will be closed on Tuesday, January 18th.
2. The Adjutant General shall make the state armories available to shelter individuals from the extreme cold and shall work with local authorities to determine if and where extra shelter is needed.

Pursuant to Minnesota Statutes 1992, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes 1992, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this 17th day of January, 1994.

Arne H. Carlson  
Governor

Filed According to Law:

Joan Anderson Growe  
Secretary of State



Pursuant to the provisions of Minnesota Statutes §14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

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## Department of Health

### Notice Regarding Quarterly Change in Regional and National Consumer Price Index:

Pursuant to *Minnesota Laws* 1993, Chapter 345, Article 3, Section 2, subdivision 1, the commissioner of health is required to publish the quarterly change in the regional consumer price index for urban consumers. This publication is intended to monitor change in the general inflation as measured by the quarterly change in the north-central CPI-U index. The quarterly change in U.S. city average CPI-U index is also published for comparative purposes.

The change in the average, unadjusted regional urban-consumer price index for all items for the North Central Region, from 3rd quarter 1993 to 4th quarter 1993 is 0.67 percent.

The change in the average, unadjusted national urban-consumer price index for all items, from 3rd quarter 1993 to 4th quarter 1993 is 0.69 percent.

The change in the annual average national urban-consumer price index from 1992 to 1993 is 2.95 percent.

The change in the annual average regional urban-consumer price index for the North Central Region from 1992 to 1993 is 2.88 or 2.9 percent.

### Notice Regarding Actual Growth Limit on Health Care Expenditures For 1994:

Pursuant to *Minnesota Laws* 1993, Chapter 345, Article 3, Section 3, Subdivision 1a, the commissioner of health is required to publish the actual limit on the rate of growth of health care spending for 1994 in the *State Register* by January 15, 1994. The actual limit on the rate of growth of health care spending is determined based on the methodology described in *Minnesota Laws* 1993, Article 3, Section 2, Subdivision 1b. The actual limit for calendar year 1994 is 9.4%.

## Department of Human Services

### Family and Children's Services Division

### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Cultural Dynamics Training for Providers of Child Care

**NOTICE IS HEREBY GIVEN** that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules to amend the requirements for initial training in the rules governing licensure of child care centers (informally known as DHS Rule 3) and group and family child care providers (informally known as DHS Rule 2). Amending the training-related parts of the rules governing licensure of child care is authorized by *Minnesota Statutes*, section 245A.14, subdivision 7 which directs the agency to require cultural dynamics training for providers upon determining that sufficient curriculum is developed statewide. The affected rule part governing family day care providers is part 9502.0385, Day Care Training.

The affected rule part governing licensed child care centers is part 9503.0035, Orientation, First Aid, and In-Service Training. Rule 3 governing child care center licensure is currently under revision. The training requirement amendment will be promulgated independently of total Rule 3 revision with consultation from the Rule 3 staff and advisory committee.

During the course of the rule development process the following issues may be considered: number of hours of training needed to meet the statutory requirement; determining training content that is consistent with the description of cultural dynamics training in *Minnesota Statutes*, section 245A.14, subdivision 7; and establishing timelines for implementation of training and timelines for requiring providers to complete the training.

The Department of Human Services will form an advisory task force to aid in the development of the rule amendments. The Department continues to seek representation from family day care providers and parents; meanwhile, the following individuals representing the organizations and child care centers listed have agreed to serve on the advisory committee.

**Rose Allen**  
Ramsey County Extension Service

**Anita Segador Beaton, PhD**  
Minnesota Association for  
Education of Young Children

**Terri Bendix**  
MN Chippewa Tribe

**Jeanette Bowles**  
MN Indian Women's Resource Center

**Chris Bremer**  
Education Affairs, Honeywell

**Carol Breske**  
Center School

## Official Notices

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**Paul Carrizales**  
Family Service of Great St. Paul

**Barbara Fabre**  
Ojibway Employment & Training  
Waubun, MN 56589

**Carlos Gallego**  
Spanish Speaking Affairs Council

**Francis Martinez Hancock**  
Concordia College

**Sharon Henry**  
Child Care Res. Ctr. Southside  
Minneapolis, MN 55409

**Mary Lou Johnson**  
Day Care Unit, Hennepin County

**Phalla Keo**  
Ramsey County Extension Service

**Ofelia Lopez**  
Resources for Child Caring/  
Spanish Speaking Affairs Council

**Cynthia Madden**  
Minneapolis Community College

**Blanche Niemi**  
Head Start  
White Earth, MN 56591

**Joe Potter**  
Minneapolis American Indian Center

**Lynn Ramalingan**  
Staff, Child Care Center

**Erma Simms**  
Pilgrim Academy  
St. Paul, MN 55104

**Soo-Yin Lim Thompson**  
Director, Child Care Center

**Richard Tvedten**  
Minnesota Technical College System

**Hoa Young**  
Council on Asian-Pacific Minnesotans  
St. Paul, MN 55103

**Rita Childs**  
Parent  
Welch, MN

**Gene Ford**  
Minnesota Child Care Resource  
and Referral Network

**Patrick Gannon**  
MN CCR&R Network

**Robin Hasslen**  
St. Cloud State University

**Sandra Holm**  
Staff, Child Care Center  
Minneapolis, MN 55406

**Nancy Johnson**  
Greater Mpls.  
Day Care Association

**Wayne Kuklinski**  
Tri Valley Opportunity Council  
Crookston, MN 56716

**May Ly Lochungvu**  
North Side Family Connection  
Minneapolis, MN 55411

**Maritza Mariani**  
CLUES  
St. Paul, MN 55107

**Leah Pigatti**  
Head Start  
Mahube Community Council  
Detroit Lakes, MN 56502

**Beverly Propes**  
United Way of Minneapolis Area

**Winston Ray**  
Minneapolis, MN 55414

**Jacqui Smith**  
The City  
Minneapolis, MN 55407

**Laura Turner**  
MN Department of Jobs and Training

**Ly Vang**  
Assoc. for the Advancement  
of Hmong Women in Minnesota

**Reverend Ellen Renee Dill**  
Oakland Avenue  
United Methodist Church  
Minneapolis, MN

**Luz Maria Frias**  
Centro Legal, Inc.  
Minneapolis, MN

**Becky Goze**  
All Nations Child Care Center  
Minneapolis, MN

**Sandy Heidemann**  
Southside Family Nurturing Center  
Minneapolis, MN

**Melanie Hough**  
Leech Lake R&R

**Tene' Jones**  
North Side Family Connection  
Minneapolis, MN 55411

**Linda Lares**  
Freeborn County Community Action  
Albert Lea, MN 56007

**Xia Lyfoung**  
St. Paul, MN

**Carmen Morales**  
Child Care Unit  
Kandiyohi County Family Svcs. Dept.  
Willmar, MN 56201

**Anita M. Porter**  
IBM,  
Rochester, MN 55901

**Aubrey Puckett**  
PICA Head Start  
Minneapolis, MN 55411

**Claire Chang Schroeder**  
Resources for Child Caring  
St. Paul, MN 55104

**Jan Templin**  
State Board of Technical Colleges

**Dannette Turner-Strickland**  
Parent

**Doua Yang**  
North Side Family Connection  
Minneapolis, MN 55411

The State Department of Human Services will appoint all members of the advisory task force by March 1, 1994. It is expected that the advisory task force will complete consideration of the rule by December 31, 1994.

The Department anticipates that the rule adoption process will take approximately 12 months.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Alice Weck, Rules, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816.

Oral statements will be received by Alice Weck during regular business hours over the telephone at 612-297-4302 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 24 January 1994

Alice Weck

## Labor and Industry Department

### Labor Standards Division

#### Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective January 31, 1994 prevailing wage rates were determined and certified for commercial construction projects in: Douglas county: 1994 Alexandria Technical College Re-roofing & repairs-Alexandria. Hennepin county: U of M Replacement for Territorial Shower Renovation and Heating System-Minneapolis. Itasca county: IRA Civic Center Evaporative Condenser Replacement-Grand Rapids. Kandiyohi county: Willmar High School Conversion-Willmar. Winona county: Crystal Springs Raceway Construction-Nr. Altura.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr  
Commissioner

## Legislative Coordinating Commission

### Applications are being accepted for 8 positions on the Regent Candidate Advisory Council (RCAC).

The 24-member RCAC recruits, screens and recommends candidates to the Legislature for the University of Minnesota Board of Regents. Twelve members of the RCAC are appointed by the Speaker of the House of Representatives and twelve are appointed by the subcommittee on committees in the Senate. Members receive per diem and expenses; terms are six years. The application deadline is Friday, February 11, 1994. For further information and/or application forms, please contact Mary E. Ryan, (612)296-1121, 85 State Office Building, St. Paul, MN 55155.

## Northern States Power Company

### Notice of Acid Rain Program Designated Representative

Pursuant to *Code of Federal Regulations* Title 40, Part 72, **NOTICE IS HEREBY GIVEN** that I am the Designated Representative for the following Acid Rain Program affected sources at Northern States Power Company; Allen S. King Plant unit

## Official Notices

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1, Black Dog Plant units 1, 2, 3, and 4, High Bridge Plant units 3, 4, 5 and 6, Minnesota Valley Plant unit 4, Riverside Plant units 6, 7, and 8, Sherburne County Plant units 1, 2, and 3 (unit 3 is owned by Northern States Power Company and Southern Minnesota Municipal Power Agency), Alliant Techsystems unit 1, United Health Care units 1 and 2, and United Hospitals units 5, 6, and 7. Notice is also given that Ross T. Hammond is the Alternate Designated Representative for these sources, as of February 1, 1994. If there are questions, please call Rick Rosvold at (612) 330-6424.

Martin F. Dinville  
General Manager, Combustion and Hydro Operations  
Northern States Power Company

## Public Employees Retirement Association

### Board of Trustees, Notice of Meetings

A special meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, February 3, 1994, at 9:30 a.m. in the PERA offices, 514 St. Peter Street - Suite 200, St. Paul, Minnesota.

The next regular monthly meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, February 10, 1994, at 9:30 a.m. in the PERA offices, 514 St. Peter Street - Suite 200, St. Paul, Minnesota.

## Pollution Control Agency

### Air Quality Division

### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules to Streamline Regulation of Stationary Sources With Actual Air Emissions Below Permit Thresholds

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) is seeking information or opinions from sources outside the MPCA in preparing to propose the adoption of rules governing the following subjects:

1. A rule governing the use of air pollution control equipment in limiting potential air emissions. The rule would give certain air emission sources a designated amount of credit for emission reductions due to air pollution control equipment. The credit would in turn be used by the facility for determining potential emissions during the permit application process. A result of the rule would be some stationary sources would be eligible to receive a less complicated permit, or be eligible for a very streamlined approval process.
2. A rule developed for small boilers and internal combustion engines limiting the potential to emit of these sources through limitations on the hours of operation or fuel usage. A result of the rule would be many stationary sources with small boilers or internal combustion engines would be eligible for a very streamlined approval process.
3. A rule developed for stationary sources limiting the potential emissions of volatile organic compounds (VOC) based on actual usage of raw material. A result of the rule would be some VOC emitting stationary sources would be eligible for a very streamlined approval process.
4. A rule developed for stationary sources limiting the potential emissions of non combustion emission units based on allowing the source to document actual emissions. A result of the rule would be some stationary sources with non combustion emission units would be eligible for a very streamlined approval process.
5. A rule adding additional insignificant activities to the list located in *Minn. Rules* part 7007.1300.

The MPCA does not intend to form an advisory task force for this rulemaking. The MPCA formed an advisory task force in July of 1992 to assist with the drafting of rules for the new Operating Permit Program developed in conformance with Title V of the Clean Air Act Amendments (CAAA) of 1990. It was during these task force meetings that the above issues surfaced and that the MPCA would need to address them in a separate rulemaking.

The MPCA requests information and opinions concerning the subject matter of the rule. For a copy of the draft rule concerning the subject matter listed above, or to submit data or views on the subject matter in writing or orally contact:

Andrew Ronchak  
Air Quality Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-4194

Oral statements will be received during regular business hours over the telephone at (612) 296-3107 and in person at the above address.

All statements of information and opinions shall be accepted until February 28, 1994. Any written material received by the MPCA shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted. The MPCA anticipates this rulemaking process will be completed by July of 1994. If the rule becomes controversial the MPCA anticipates the completion date to be in the fall of 1994.

Charles W. Williams  
Commissioner

## Minnesota Department of Revenue

### Meeting Notice

The Capital Equipment Advisory Council Meets on the following dates:

- Tuesday, February 1, 1994, 9:00 a.m., Basement Hearing Room, State Office Building, St. Paul
- Tuesday, February 8, 1994, 9:00 a.m., Room 5, State Office Building, St. Paul

Refer questions to Kathryn Kmit, 434 State Office Building, St. Paul, MN 55155, or call (612) 296-5376.

## State Board of Technical Colleges

### Public Hearing on Two Year State Plan for Vocational Technical Education

In the matter of the proposed Two Year Minnesota State Plan for Vocational Technical Education, State Board of Technical Colleges and Minnesota Department of Education. Pursuant to *Minnesota Statutes*, Section 14.14, subdivision 1:

#### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held on the Two Year State Plan for Vocational Technical Education, in Room 130, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota, on Tuesday, March 8, 1994, commencing at 2:00 p.m. and continuing until all interested or concerned persons have had an opportunity to participate.

All representatives of school districts, technical colleges, organizations, associations, other interested groups, and all interested and concerned persons will have an opportunity to be heard regarding the adoption of the proposed Two Year State Plan by submitting either oral or written recommendations or statements. For those who cannot be present at the Public Hearing, their recommendations or statements may be submitted to Dr. William E. Stock, Director, Planning and Improvement Unit, Department of System Improvement Services, State Board of Technical Colleges, Third Floor, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

Copies of the proposed Two Year Minnesota State Plan for Vocational Technical Education for Fiscal Years 1995 and 1996 will be available February 8, 1994 at the State Board of Technical Colleges, Third Floor, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101. Additional copies will be available on the date of the Public Hearing.

Dated: 4 January 1994

# State Grants

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In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

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## Department of Education

### Request for Proposals (RFP) — Minnesota Comprehensive Youth Apprenticeship Program

The Minnesota Department of Education announces the availability of funds under the Comprehensive Youth Apprenticeship program (Authorized by *Minnesota Law*, 126B). The request for proposal is for the planning and/or implementation of a local Comprehensive Youth Apprenticeship program that will integrate academic and occupational, secondary and post-secondary education, and school-based and work-based learning. The program is to provide the successful completer with the attainment of high school graduation standards, a certificate or diploma from a one or two year post-secondary education and a recognized skills certificate. The total amount of funding available for FY 1994-1995 is \$437,000. Applicants are required to match grant funds with an equal amount of non-state funds. Applicants must represent secondary and post-secondary school systems and should include representatives of affected local business, labor and industries, as well as the local community. A copy of the complete "Request for Proposal" will be released February 15, 1994, and may be obtained from:

Minnesota Department of Education  
Youth Apprenticeship  
660 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101

Proposal deadline: 4:00 p.m., May 2, 1994.

## Department of Human Services

### Aging and Adult Services Division

### Notice of Request for Proposals (RFP) to Provide a Living Skills Program for Persons with Epilepsy who Require Assistance to Live Independently

#### Purpose

The Minnesota Department of Human Services is soliciting proposals (RFPs) from qualified parties to provide assistance for persons with intractable epilepsy in the transition to independent living. Objectives to be accomplished include problem solving and interpersonal skills as well as independent living skills such as communication, stress management, goal setting and money management.

**This project is contingent on the continuing availability of state funding** approved by the legislature for the second year of the current biennium, July 1, 1994 through June 30, 1995. Funding is available only through June 30, 1995. If the Legislature appropriates additional funding for the next biennium, the State has the option of extending the contract for two additional years.

**The program** involves staff who would be available on a 24-hour, seven day a week basis. Individual and group counseling, as well as informational sessions about epilepsy and the special aspects of living independently with a chronic illness, are required.

The Department has estimated that the cost of this contract, through June 30, 1995, will not exceed \$200,000. The project will begin on July 30, 1994 and must be completed by June 30, 1995, unless the Legislature appropriates additional funding for the next biennium.

**The State reserves the right to cancel the solicitation if it is considered to be in its best interest.**

#### Application Process

For a copy of the request for proposal (RFP), please contact Bernie Kuhn at (612) 296-3868.

If you have questions about this notice, or the proposal, please call Ron Abato at (612) 296-3769.

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## Professional, Technical & Consulting Contracts

All proposals must be received by 4:30 PM on March 7, 1994, at the fourth floor office of the Aging and Adult Services Division, 444 Lafayette Road, St. Paul, MN 55155-3843. Proposals received after the above deadline will not be eligible for consideration.

Completed proposals must be submitted to:

Ron Abato  
Department of Human Services  
Aging and Adult Services Division  
444 Lafayette Road  
St. Paul, MN 55155-3843

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## Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

In accordance with *Minnesota Rules Part 1230.1910*, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

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## Minnesota State Lottery

The Minnesota State Lottery is seeking bids for the destruction and recycling of old Lottery tickets.

Vendors must be certified by the Department of Defense or other high security organization to handle this type material. All interested vendors should contact: Susie Kivi, Buyer, at the Minnesota State Lottery (612) 635-8105 to receive a bid. Bids are due February 15, 1994 at 2:00 p.m.

## Department of Transportation

### Operations Division

### Notice of Availability of Contract for Interactive Travel Information System.

The Minnesota Department of Transportation is requesting proposals for the design and prototype of an interactive travel information system at three sites on the interstate highway system at travel information centers. The department has estimated that the cost of this project need not approach but shall not exceed \$100,000. It is anticipated that the contract period will begin on March 15, 1994 and continue through June 30, 1994.

For further information, or to obtain a copy of the completed Request for Proposal, contact:

Marj Ebensteiner  
Office of Financial Administration  
Mn/DOT  
417 Transportation Building  
395 John Ireland Boulevard  
Saint Paul, Minnesota 55155  
Phone: (612) 296-5472

Proposals must be received at the above address no later than February 25, 1994.

## Non-State Public Bids and Contracts

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This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

### Winona State University

#### Request for Proposal for Hardware, Software, Training in Support of an Integrated Retail System for the University Bookstore

Winona State University has available a request for proposal for an integrated retail system for the University Bookstore. The support to be provided include, but are not limited to, the following: tradebook, textbook, general merchandise purchasing and inventory system, as well as receiving, point of sale activities and accounting functions.

Proposals are to be submitted by March 25, 1994, to:

Winona State University  
Jerome Varner, Business Manager  
Somsen 205  
Winona, MN 55987

These request proposals are now available and there will be a bidder conference on February 24, 1994, at Winona State University.

## Non-State Public Bids and Contracts

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The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

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### Metropolitan Council

#### Request for Proposals for Solid Waste Research to Conduct Solid Waste Flow and Recyclable Materials Reconnaissance and Analysis Studies

Publication number: 39-94-004 January, 1994

**ELIGIBLE APPLICANTS:** Businesses, research firms and post-secondary educational institutions with expertise in accounting, reconnaissance and similar research investigations and analyses.

**OVERVIEW OF THIS RFP:** The METROPOLITAN COUNCIL has determined that it needs to conduct two solid waste research studies in early 1994 as input into its 1993 Abatement Progress Report to the Legislature, which will occur on July 1, 1994, to the Council's review of the Metropolitan Counties' 1993 Certification Reports pursuant to Minnesota Statute 473.848, and to the information obtained from the Waste Generation Forecast to 2015 project in progress for the Council. In both studies, the contrac-



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## Non-State Public Bids and Contracts

tor(s) will be required to provide recommendations for on-going monitoring utilizing the data from this RFP. The two studies may be the subject of a single or separate contract agreement(s). Separate contractors for each of the two studies will also be considered.

The Solid Waste Flow Study will examine the present status of waste flow controls (waste designation) applied to mixed municipal solid waste (MSW) generated in the Twin Cities Metropolitan Area. Recent federal court decisions in Minnesota and other states have allowed waste haulers to avoid waste flow controls by taking wastes to other states. The Council desires to determine how much MSW generated in the region is leaving the region for processing and/or disposal in Greater Minnesota and/or in other states. This study will identify haulers taking waste out of the region, the amount of MSW involved, transfer stations used, and the location of any interim processing and/or final disposal. The study will involve actual reconnaissance of waste flows and an analysis of waste flow data to determine the most likely impacts on regional MSW processing facilities if waste flow controls continue to deteriorate.

The purpose of this study is to determine the region's existing and potential loss of manageable MSW at designated and non-designated facilities for waste generated in each of the seven metro counties. The contractor will, through interviews, surveys and reconnaissance of waste haulers, facility operators and public officials, identify the tonnages and final destination of MSW that currently leaves and could potentially leave the region for disposal at outstate and non Minnesota facilities. The information collected will be broken out for 1994 by MSW tonnages, county of origin, county and facilities of destination, designated and non-designated MSW. The study will include an evaluation of the haulers' and facilities future plans and proposals to take MSW outside of the region for disposal. The reconnaissance analysis will be based on a selected six day-week period and will include a representative sample of the haulers collecting residential and commercial waste in the region. The study will include an analysis of which metro facilities and counties are potentially the most effected by the MSW loss. The study will identify the mileage to the destination facilities and their capacities and applicable tip fees. The study will identify the potential loss of MSW by metro county and facility. The study will look at the impact of legislation and regulations on destination facilities, including Subtitle D requirements, and what potential there will be for easing or restricting the flow of MSW to outstate and non Minnesota facilities. The contractor in response to the RFP will propose a detailed study and reconnaissance methodology.

The Recyclable Materials Study will develop verifiable data about how much of the materials collected in the region for recycling ends up actually being recycled, how much ends up being landfilled and where, and an assessment of the strength of recycled materials markets. The contractor will, through interviews, surveys and reconnaissance of residential curbside, drop-off recycling centers, and commercial recyclers, transfer stations, MRFs, etc. identify the tonnages and final destination of recyclables by type, including the prices paid, the capacity of existing markets to absorb recyclables. The study will identify haulers/recyclers and tonnages of recycled materials being disposed of in regional processing facilities, regional landfills, and facilities/landfills in greater Minnesota and/or out of state including the names, addresses, tonnages and types of materials being disposed. The contractor will estimate the total amount of material that is intended for recycling by generators, the amount recycled and the amounts disposed in processing facilities and landfills. Materials disposed of in processing facilities and landfills will be examined and characterized by the contractor as to its potential recyclability and reasons for not being recycled, if known.

**DEADLINE FOR SUBMISSION OF PROPOSAL:** 4:00 P.M. (CST), Thursday, February 24, 1994.

**MAXIMUM FUNDING LEVEL:** Not to exceed \$60,000 total for both studies.

**COUNCIL PROJECT MANAGERS:** Solid Waste Flow - Paul Smith (612) 291-6408 or 291-0904 (TDD)  
Recyclable Materials - Victoria Reinhardt (612) 291-6536 or 291-0904 (TDD)

**SUBMITTAL ADDRESS:** Metropolitan Council, 230 East Fifth Street, St. Paul, MN 55101-1634

## Metropolitan Waste Control Commission

### Request for Proposal for Banking and Safekeeping Services RESOLUTION NO. 93-222

Sealed proposals will be received in the office of the Metropolitan Waste Control Commission, Mears Park Centre, 6th Floor, 230 East Fifth Street, St. Paul, Minnesota 55101 until MONDAY, FEBRUARY 21, 1994 at 10:00 A.M., at which time and place bids will be publicly opened and read aloud for BANKING AND SAFEKEEPING SERVICES, all in accordance with the specifications and bid forms available at the Commission's office in St. Paul, Minnesota.

Copy of the specification may be obtained from the MWCC offices at:

Mears Park Centre  
230 East Fifth Street - Sixth Floor  
Saint Paul, Minnesota 55101

## Non-State Public Bids and Contracts

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Questions should be directed to Steven Sielaff, Senior Accountant, (612) 229-2021 or Theresa Keegan, Fiscal Treasury Manager, (612) 229-2196

The contract will be awarded to the lowest, responsible bidder but the right is reserved to reject any and all bids.

BY ORDER OF THE METROPOLITAN WASTE CONTROL COMMISSION

Helen Boyer, Acting Chief Administrator

## Metropolitan Waste Control Commission

### Public Notice for Proposals for Technical Services

**NOTICE IS HEREBY GIVEN** that the Metropolitan Waste Control Commission is soliciting proposals for Compensation and Performance Appraisal services.

The work will consist of:

1. Review of current MWCC performance appraisal systems and recommendations for revisions;
2. Compensation review.

All firms interested in being considered for this project are invited to submit a letter asking for the project Request for Proposal (RFP).

All inquiries are to be addressed to Ms. Kaye L. Aho, Manager, Staffing, Compensation and Benefits, Metropolitan Waste Control Commission, Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota, 55101 (612) 229-2094

By Order of the

METROPOLITAN WASTE CONTROL COMMISSION

Helen Boyer  
Deputy Chief Administrator

## Information for Health Care Services

### *Health Care Facilities Directory*

Lists of all Minnesota licensed and certified health care facilities. Statistical data tables and listings organized alphabetically by county, town and facility. Features hospitals, nursing homes, boarding homes, outpatient care, hospice and more. 213 pp. plus index. 1-89 SR \$18.95

### *Minnesota Health Statistics -- 1990*

Minnesota Center for Health Statistics, published August 1992. Tables, diagrams outlining vital statistics for live births, induced abortions, fertility, infant and general mortality, marriage, divorce and population. 142 pp. 10-16SR \$15.00

Available through Minnesota's Bookstore. Use the handy order form on the back of the *State Register* to order. Visit Minnesota's Bookstore to view a variety of health care publications.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.



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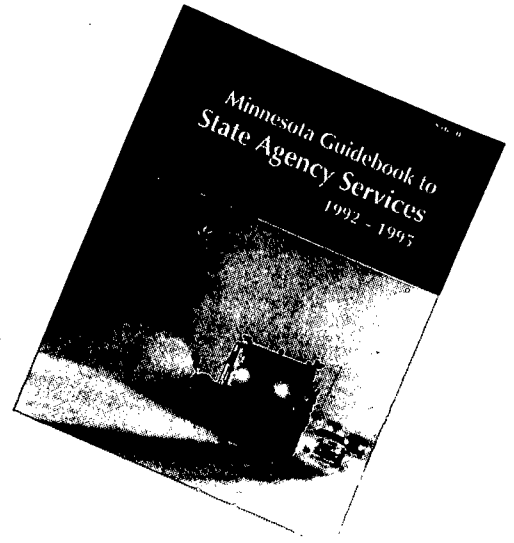
### Business & Professional Directories -----

#### **Minnesota Guidebook to State Agency Services 1992-95**

An obvious "headliner" on any list for the business reference desk.  
The perfect "owner's manual" to Minnesota state government is a great reference tool for:

- \* applying for grants, bidding on contracts
- \* addresses, phone numbers and key contact people for each agency
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- \* gaining access to government services
- \* participating in state policy making and service delivery
- \* understanding the structure of Minnesota government with detailed descriptions of state agencies, their functions and services.

A MUST for the Minnesota business person. 710 pp. **Stock No. 1-11 SR** ~~REDUCED PRICE -- \$16.00~~ **NOW \$9.95**



#### **Minnesota Manufacturer's Directory 1993**

Lists companies alphabetically, by community, and by type of product manufactured. Includes name, address, phone number, sales volume, market products, area sales, marketing and purchasing. Also FAX numbers, data processing managers and chief engineers, when available. 742 pp. **Stock No. 40-2 SR \$95.00**

#### **Healing Arts (Physician's) Directory 1991**

Names and addresses in alphabetical order for licensed physicians, chiropractors, osteopaths, optometrists, podiatrists and registered physical therapists. 426 pp. **Stock No. 1-1 SR \$19.95**

#### **State Agency Telephone Directory**

*Orders are now being taken for the 1994 Directory.*  
This directory lists all State of Minnesota government agencies. Features a greatly expanded FAX section with over 250 numbers, alphabetical employee listings, a classified section, organized by department, and "yellow pages" listing state offices in Greater Minnesota. 264pp. **Stock No. 1-87 SR \$12.95**

#### **Airport Directory 1993**

List of airports throughout the state. Approaches, rivers, all detailed markings, and much more. 178 pp. (pocket-size) **Stock No. 1-8 SR \$5.95**

#### **Law Enforcement Directory 1993**

Directory of state law enforcement agencies, sheriffs and police departments 51pp. **Stock No. 1-6 SR \$7.00**

#### **Directory of Chemical Dependency Programs '92-93**

Comprehensive listing of chemical dependency treatment programs in Minnesota. Information on services provided, funding and staff, and a map are also included. 282 pp. **Stock No. 1-12 SR \$17.00**

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Let our Mailing List Service guide you through their **broad selection of State of Minnesota licensed professionals and permit holders**. Lists are available in a variety of formats including computer printouts, directories, cheshire or pressure-sensitive labels, or diskette. **For a free catalog or further information, call - 612/ 296-0930.**

### Minnesota's Bookstore

117 University, St Paul, Minnesota 55155 (located 1/2 block west of the State Capitol)  
612/297-3000 (Metro area) 1-800-657-3757 (Toll Free)

TDD (Telecommunications Device for the Deaf): 612/282-5077 1-800-657-3706 (Toll Free)  
FAX 612/296-2265 Online computer access: 612/821-4096 (8-N-1, 1200/2400 bps)

